

FIFTY SEVENTH DAY

MORNING SESSION

Senate Chamber, Olympia, Monday, March 11, 2013

The Senate was called to order at 10:00 a.m. by President Owen. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senators Baumgartner and Ranker.

The Sergeant at Arms Color Guard consisting of Pages Alex Kantas and Travis Kroeger, presented the Colors. Pastor John Rosenberg of Good Shepherd Lutheran Church of Olympia offered the prayer.

MOTION

On motion of Senator Fain, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES  
GUBERNATORIAL APPOINTMENTS

March 8, 2013

SGA 9012 SUSAN COLE, reappointed on October 1, 2009, for the term ending September 30, 2014, as Member of the Board of Trustees, Community College District No. 21 (Whatcom Community College). Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Becker, Vice Chair; Baumgartner; Kohl-Welles, Ranking Member; McAuliffe and Tom.

Passed to Committee on Rules for second reading.

March 8, 2013

SGA 9020 JAMES GROVES, appointed on November 5, 2009, for the term ending September 30, 2014, as Member of the Board of Trustees, Technical College District #25 (Bellingham). Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Becker, Vice Chair; Baumgartner; Kohl-Welles, Ranking Member; McAuliffe and Tom.

Passed to Committee on Rules for second reading.

March 8, 2013

SGA 9022 KEDRICH JACKSON, appointed on October 22, 2012, for the term ending September 30, 2017, as Member of the Board of Trustees, Community College District No. 19 (Columbia Basin College). Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Becker, Vice

Chair; Baumgartner; Kohl-Welles, Ranking Member; McAuliffe and Tom.

Passed to Committee on Rules for second reading.

March 8, 2013

SGA 9034 JOHN STEPHENS, reappointed on October 1, 2012, for the term ending September 30, 2017, as Member of the Board of Trustees, Community College District No. 4 (Skagit Valley College). Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Becker, Vice Chair; Baumgartner; Kohl-Welles, Ranking Member; McAuliffe and Tom.

Passed to Committee on Rules for second reading.

March 8, 2013

SGA 9039 THUY VO, reappointed on October 1, 2011, for the term ending September 30, 2016, as Member of the Board of Trustees, Community College District No. 13 (Lower Columbia College). Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Becker, Vice Chair; Baumgartner; Kohl-Welles, Ranking Member; McAuliffe and Tom.

Passed to Committee on Rules for second reading.

March 8, 2013

SGA 9046 MICHAEL S MAXWELL, appointed on October 1, 2012, for the term ending September 30, 2017, as Member of the Board of Trustees, Community College District No. 1 (Peninsula College). Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Becker, Vice Chair; Baumgartner; Kohl-Welles, Ranking Member; McAuliffe and Tom.

Passed to Committee on Rules for second reading.

March 8, 2013

SGA 9047 JULIE MCCULLOCH, reappointed on October 4, 2010, for the term ending September 30, 2015, as Member of the Board of Trustees, Community College District No. 1 (Peninsula College). Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Becker, Vice Chair; Baumgartner; Kohl-Welles, Ranking Member; McAuliffe and Tom.

Passed to Committee on Rules for second reading.

March 8, 2013

SGA 9054 VICKI ORRICO, reappointed on October 1, 2012, for the term ending September 30, 2017, as Member of the

Board of Trustees, College District No. 8 (Bellevue College).  
Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Becker, Vice Chair; Baumgartner; Kohl-Welles, Ranking Member; McAuliffe and Tom.

Passed to Committee on Rules for second reading.

March 8, 2013

SGA 9056 SUSAN PALMER, appointed on October 1, 2011, for the term ending September 30, 2016, as Member of the Board of Trustees, Technical College District #27 (Renton). Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Becker, Vice Chair; Baumgartner; Kohl-Welles, Ranking Member; McAuliffe and Tom.

Passed to Committee on Rules for second reading.

March 8, 2013

SGA 9057 THERESA PAN HOSLEY, reappointed on October 4, 2010, for the term ending September 30, 2015, as Member of the Board of Trustees, Technical College District #28, (Bates). Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Becker, Vice Chair; Baumgartner; Kohl-Welles, Ranking Member; McAuliffe and Tom.

Passed to Committee on Rules for second reading.

March 8, 2013

SGA 9059 DARLENE PETERS, reappointed on October 1, 2011, for the term ending September 30, 2016, as Member of the Board of Trustees, Community College District No. 3 (Olympic Community College). Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Becker, Vice Chair; Baumgartner; Kohl-Welles, Ranking Member; McAuliffe and Tom.

Passed to Committee on Rules for second reading.

March 8, 2013

SGA 9063 BRUCE REID, reappointed on October 1, 2008, for the term ending September 30, 2013, as Member of the Board of Trustees, Technical College District #26 (Lake Washington). Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Becker, Vice Chair; Baumgartner; Kohl-Welles, Ranking Member; McAuliffe and Tom.

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Fain, all appointees listed on the Gubernatorial Standing Committee report were referred to the committees as designated.

MOTION

On motion of Senator Fain, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

March 8, 2013

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 1068,  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1134,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1252,  
ENGROSSED HOUSE BILL NO. 1276,  
SUBSTITUTE HOUSE BILL NO. 1314,  
HOUSE BILL NO. 1348,  
SECOND SUBSTITUTE HOUSE BILL NO. 1424,  
SUBSTITUTE HOUSE BILL NO. 1472,  
SUBSTITUTE HOUSE BILL NO. 1501,  
HOUSE BILL NO. 1544,  
SUBSTITUTE HOUSE BILL NO. 1556,  
SECOND SUBSTITUTE HOUSE BILL NO. 1566,  
SUBSTITUTE HOUSE BILL NO. 1638,  
SECOND SUBSTITUTE HOUSE BILL NO. 1642,  
SECOND SUBSTITUTE HOUSE BILL NO. 1680,  
SUBSTITUTE HOUSE BILL NO. 1686,  
SUBSTITUTE HOUSE BILL NO. 1779,  
and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 8, 2013

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 1283,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1401,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1467,  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1526,  
HOUSE BILL NO. 1587,  
HOUSE BILL NO. 1608,  
SUBSTITUTE HOUSE BILL NO. 1674,  
HOUSE BILL NO. 1710,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1717,  
HOUSE BILL NO. 1768,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1769,  
HOUSE BILL NO. 1790,  
SUBSTITUTE HOUSE BILL NO. 1843,  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1872,  
ENGROSSED HOUSE BILL NO. 1900,  
HOUSE CONCURRENT RESOLUTION NO. 4403,  
and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

FIFTY SEVENTH DAY, MARCH 11, 2013

2013 REGULAR SESSION

March 8, 2013

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1290,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.  
 1302,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1341,  
 ENGROSSED HOUSE BILL NO. 1396,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1403,  
 SUBSTITUTE HOUSE BILL NO. 1459,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1633,  
 ENGROSSED HOUSE BILL NO. 1808,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1819,  
 ENGROSSED HOUSE BILL NO. 1891,  
 ENGROSSED HOUSE BILL NO. 1923,  
 and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 9, 2013

MR. PRESIDENT:

The House has passed:

HOUSE BILL NO. 1008,  
 HOUSE BILL NO. 1028,  
 HOUSE BILL NO. 1124,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1247,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.  
 1306,  
 ENGROSSED HOUSE BILL NO. 1395,  
 SUBSTITUTE HOUSE BILL NO. 1420,  
 HOUSE BILL NO. 1468,  
 ENGROSSED HOUSE BILL NO. 1473,  
 SUBSTITUTE HOUSE BILL NO. 1558,  
 SUBSTITUTE HOUSE BILL NO. 1568,  
 HOUSE BILL NO. 1644,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.  
 1648,  
 HOUSE BILL NO. 1818,  
 ENGROSSED HOUSE BILL NO. 1826,  
 SUBSTITUTE HOUSE BILL NO. 1841,  
 SUBSTITUTE HOUSE BILL NO. 1866,  
 HOUSE BILL NO. 1892,  
 HOUSE BILL NO. 1903,  
 SUBSTITUTE HOUSE BILL NO. 1941,  
 SUBSTITUTE HOUSE BILL NO. 1946,  
 and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 9, 2013

MR. PRESIDENT:

The House has passed:

ENGROSSED HOUSE BILL NO. 1013,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1117,  
 SECOND SUBSTITUTE HOUSE BILL NO. 1158,  
 HOUSE BILL NO. 1159,  
 HOUSE BILL NO. 1269,  
 SECOND SUBSTITUTE HOUSE BILL NO. 1416,  
 SUBSTITUTE HOUSE BILL NO. 1466,

HOUSE BILL NO. 1486,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1625,  
 SUBSTITUTE HOUSE BILL NO. 1654,  
 HOUSE BILL NO. 1797,  
 SUBSTITUTE HOUSE BILL NO. 1822,  
 SUBSTITUTE HOUSE BILL NO. 1884,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1922,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1944,  
 and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 9, 2013

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1007,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1090,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.  
 1301,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.  
 1374,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1552,  
 and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

On motion of Senator Fain, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

HB 1035 by Representatives Kirby, Ryu and Nealey

AN ACT Relating to title insurance rate filings; amending RCW 48.03.010, 48.03.060, and 42.56.400; and adding new sections to chapter 48.29 RCW.

Referred to Committee on Financial Institutions, Housing & Insurance.

SHB 1103 by House Committee on Government Operations & Elections (originally sponsored by Representatives Van De Wege, Hunt, Stanford, Liias, Hayes, Morrell, Appleton, Fitzgibbon, Hudgins, Reykdal and Bergquist)

AN ACT Relating to uniform ballot design; amending RCW 29A.36.111; and adding a new section to chapter 29A.36 RCW.

Referred to Committee on Governmental Operations.

HB 1157 by Representatives Hunt, Taylor and Ryu

AN ACT Relating to making nonsubstantive changes to election laws; amending RCW 29A.04.008, 29A.04.013, 29A.04.079, 29A.04.086, 29A.04.097, 29A.04.169, 29A.04.216, 29A.04.321, 29A.04.330, 29A.04.410, 29A.04.420, 29A.08.020, 29A.08.220, 29A.08.230, 29A.08.260, 29A.08.330, 29A.08.340, 29A.08.350, 29A.08.820, 29A.12.005, 29A.12.080, 29A.12.120, 29A.12.150, 29A.20.021, 29A.20.111, 29A.20.121,

29A.20.161, 29A.20.191, 29A.24.020, 29A.24.031,  
 29A.24.101, 29A.24.320, 29A.28.041, 29A.28.050,  
 29A.28.061, 29A.32.100, 29A.32.210, 29A.36.010,  
 29A.36.060, 29A.36.101, 29A.36.121, 29A.36.131,  
 29A.36.161, 29A.36.201, 29A.40.010, 29A.52.112,  
 29A.52.210, 29A.52.321, 29A.52.355, 29A.56.040,  
 29A.56.210, 29A.56.320, 29A.56.360, 29A.56.490,  
 29A.60.010, 29A.60.060, 29A.60.110, 29A.60.160,  
 29A.60.165, 29A.60.240, 29A.60.250, 29A.64.021,  
 29A.64.030, 29A.64.050, 29A.64.061, 29A.64.090,  
 29A.68.011, 29A.68.020, 29A.72.080, 29A.72.130,  
 29A.72.250, 29A.72.290, 29A.76.020, 29A.76.030,  
 29A.80.020, 29A.84.210, 29A.84.261, 29A.84.510,  
 29A.84.520, 29A.84.711, 29A.88.020, 29A.88.040,  
 42.12.040, 42.12.070, 46.20.155, 29A.24.311, and  
 29A.36.040; reenacting and amending RCW 29A.36.170,  
 29A.40.070, 29A.40.091, and 35.17.020; reenacting RCW  
 29A.08.520; adding a new section to chapter 29A.08 RCW;  
 adding new sections to chapter 29A.24 RCW; adding new  
 sections to chapter 29A.60 RCW; adding new sections to  
 chapter 29A.56 RCW; adding a new section to chapter  
 29A.80 RCW; adding a new section to chapter 29A.16  
 RCW; recodifying RCW 29A.04.240, 29A.20.010,  
 29A.20.021, 29A.20.030, 29A.20.040, 29A.20.111,  
 29A.20.121, 29A.20.131, 29A.20.151, 29A.20.161,  
 29A.20.171, 29A.20.181, 29A.20.191, 29A.28.071, and  
 29A.76.030; repealing RCW 7.16.370, 29A.04.225,  
 29A.08.250, 29A.08.785, 29A.12.170, 29A.20.141,  
 29A.20.201, 29A.24.030, 29A.24.120, 29A.28.011,  
 29A.28.021, 29A.32.036, 29A.32.050, 29A.36.050,  
 29A.36.104, 29A.36.106, 29A.36.171, 29A.36.191,  
 29A.52.011, 29A.52.106, 29A.52.111, 29A.52.116,  
 29A.52.130, 29A.52.141, 29A.52.151, 29A.53.010,  
 29A.53.020, 29A.53.030, 29A.53.040, 29A.53.050,  
 29A.53.060, 29A.53.070, 29A.53.080, 29A.53.090,  
 29A.53.900, 29A.53.901, 29A.53.902, 29A.80.011,  
 44.04.015, and 49.28.120; and repealing 2009 c 369 s 27.

Referred to Committee on Governmental Operations.

HB 1194 by Representatives Stanford, Warnick, Lytton, Goodman, Wilcox, Tharinger, Chandler, Blake, Nealey, Orcutt, Hansen, Kirby, Ryu, Fagan and McCoy

AN ACT Relating to limiting liability for habitat projects; and reenacting and amending RCW 77.85.050.

Referred to Committee on Law & Justice.

SHB 1195 by House Committee on Appropriations Subcommittee on General Government (originally sponsored by Representatives Wylie, Buys, Hunt, Van De Wege, Appleton, Orwall, Ryu and Jinkins)

AN ACT Relating to candidate names on the primary ballot; amending RCW 29A.52.220; repealing RCW 29A.52.010 and 29A.52.011; and declaring an emergency.

Referred to Committee on Ways & Means.

ESHB 1245 by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Hansen, Smith, Ryu, Wilcox, Maxwell, Warnick, Blake, Uptegrove, MacEwen, Lytton, Van De Wege, Takko, Walsh, Jinkins, Fitzgibbon, Hunt, Haigh, Morrell, Seaquist, Tharinger, Hudgins, Stanford and Hayes)

AN ACT Relating to derelict and abandoned vessels in state waters; amending RCW 88.02.640, 79.100.100, 79A.65.020, 79.100.130, 43.19.1919, 28B.10.029, 88.02.380, 88.02.340, 88.02.550, 79.100.120, 90.56.410, 79.100.040, 79.100.060, 88.26.020, and 43.21B.305; reenacting and amending RCW 43.21B.110 and 43.21B.110; adding a new section to chapter 43.19 RCW; adding new sections to chapter 43.30 RCW; adding new sections to chapter 77.12 RCW; adding new sections to chapter 79A.05 RCW; adding new sections to chapter 47.01 RCW; adding new sections to chapter 35.21 RCW; adding new sections to chapter 35A.21 RCW; adding new sections to chapter 36.32 RCW; adding new sections to chapter 53.08 RCW; adding new sections to chapter 43.21A RCW; adding new sections to chapter 28B.10 RCW; adding new sections to chapter 79.100 RCW; creating new sections; prescribing penalties; providing effective dates; and providing expiration dates.

Referred to Committee on Natural Resources & Parks.

SHB 1260 by House Committee on Capital Budget (originally sponsored by Representatives Warnick and Stanford)

AN ACT Relating to public facilities' grants and loans; amending RCW 43.160.010, 43.160.020, 43.160.030, 43.160.050, 43.160.076, 43.160.080, and 43.160.900; adding new sections to chapter 43.160 RCW; and repealing RCW 43.160.060, 43.160.070, and 43.160.078.

Referred to Committee on Trade & Economic Development.

EHB 1267 by Representatives Fitzgibbon, Hunt, Stanford, Appleton, Ryu, Van De Wege, Lytton, Tharinger, Hudgins, Liias, Uptegrove, Farrell, Cody, Sawyer, Jinkins, Roberts, Reykdal, Maxwell, Riccelli, Santos, Pollet, Bergquist, Hansen and Ormsby

AN ACT Relating to extending the time period for voter registration; and amending RCW 29A.08.140.

Referred to Committee on Governmental Operations.

EHB 1279 by Representatives Bergquist, Riccelli, Hunt, Sawyer, Farrell, Stonier, Reykdal, Fitzgibbon, Lytton, Liias, Maxwell, Orwall, Jinkins, Uptegrove, Pedersen, Ryu, Carlyle, Roberts, Tharinger, Hudgins, Fey, Morrell, Santos, Pollet, Hansen and Ormsby

AN ACT Relating to motor voter preregistration for sixteen and seventeen year olds; amending RCW 46.20.155 and 29A.08.710; reenacting and amending RCW 42.56.250; creating new sections; and providing an effective date.

Referred to Committee on Governmental Operations.

ESHB 1291 by House Committee on Public Safety (originally sponsored by Representatives Orwall, Kochmar, Hope, Parker, Goodman, Jinkins, Uptegrove, Ryu, Stanford, Roberts, Hurst, Morrell, Tarleton, Wylie, Bergquist and Ormsby)

AN ACT Relating to services for victims of the sex trade; amending RCW 43.63A.740, 9.68A.105, 9A.88.120, and 9A.88.140; adding new sections to chapter 43.280 RCW; and creating a new section.

Referred to Committee on Law & Justice.

FIFTY SEVENTH DAY, MARCH 11, 2013

2013 REGULAR SESSION

SHB 1324 by House Committee on Local Government (originally sponsored by Representatives Fitzgibbon, Springer, Upthegrove, Ryu, Dahlquist, Maxwell, Kochmar and Hargrove)

AN ACT Relating to transferring ferry and flood control zone district functions and taxing authorities to county legislative authorities in counties with a population of one million five hundred thousand or more; and adding a new chapter to Title 36 RCW.

Referred to Committee on Governmental Operations.

ESHB 1325 by House Committee on Business & Financial Services (originally sponsored by Representatives Ryu and Kirby)

AN ACT Relating to banks, trust companies, savings banks, and savings associations, and making technical amendments to the laws governing the department of financial institutions; amending RCW 30.04.010, 30.04.070, 30.04.111, 30.04.215, 30.04.217, 30.04.240, 30.04.260, 30.04.280, 30.08.140, 30.08.140, 30.08.155, 30.38.010, 30.38.015, 30.46.020, 30.46.030, 30.46.040, 30.46.050, 30.46.060, 30.46.070, 30.46.080, 30.46.090, 32.04.030, 32.08.140, 32.08.140, 32.08.142, 32.08.153, 32.50.030, 33.12.012, 33.24.010, and 33.32.060; amending 2011 c 303 s 9 (uncodified); adding a new section to chapter 32.04 RCW; repealing RCW 30.08.095, 32.08.146, 32.08.155, and 32.08.1551; providing a contingent effective date; and providing a contingent expiration date.

Referred to Committee on Financial Institutions, Housing & Insurance.

HB 1326 by Representatives Ryu and Kirby

AN ACT Relating to making technical corrections and updating licensing and enforcement provisions of the consumer loan act; and amending RCW 31.04.015, 31.04.025, 31.04.027, 31.04.035, 31.04.093, 31.04.102, 31.04.105, 31.04.155, 31.04.221, 31.04.290, 31.04.293, and 31.04.297.

Referred to Committee on Financial Institutions, Housing & Insurance.

SHB 1327 by House Committee on Business & Financial Services (originally sponsored by Representatives Kirby, Ryu and Santos)

AN ACT Relating to licensing and enforcement provisions applicable to money transmitters; amending RCW 19.230.020, 19.230.040, 19.230.110, 19.230.120, 19.230.150, 19.230.200, and 19.230.310; and reenacting and amending RCW 19.230.010.

Referred to Committee on Financial Institutions, Housing & Insurance.

SHB 1328 by House Committee on Business & Financial Services (originally sponsored by Representatives Kirby, Ryu and Maxwell)

AN ACT Relating to the department of financial institutions' regulation of mortgage brokers and clarifying the department's existing regulatory authority regarding residential mortgage loan modification services; and amending RCW 19.146.010, 19.146.020, 19.146.0201, 19.146.060, 19.146.220, and 19.146.240.

Referred to Committee on Financial Institutions, Housing & Insurance.

HB 1402 by Representatives Stanford and Morrell

AN ACT Relating to adopting the insurer state of entry model act; amending RCW 48.05.090; adding new sections to chapter 48.35 RCW; repealing RCW 48.35.010, 48.35.020, 48.35.030, 48.35.040, 48.35.050, 48.35.060, 48.35.070, 48.35.080, 48.35.090, 48.35.100, 48.35.110, 48.35.120, 48.35.130, 48.35.140, 48.35.150, 48.35.160, 48.35.170, 48.35.180, 48.35.190, and 48.35.200; and providing an effective date.

Referred to Committee on Financial Institutions, Housing & Insurance.

SHB 1413 by House Committee on Government Operations & Elections (originally sponsored by Representatives Moscoso, Hunt, Santos, Liias, Ryu, Fey, Upthegrove, Dunshee, Tarleton, Pedersen, Bergquist, Hudgins, McCoy, Maxwell, Cody, Jinkins, Appleton, Sawyer, Roberts, Fitzgibbon, Habib, Reykdal, Pollet, Ormsby, Green, Kagi, Freeman, Riccelli and Farrell)

AN ACT Relating to establishing a voting rights act to promote equal voting opportunity in certain political subdivisions by authorizing district-based elections, requiring redistricting and new elections in certain circumstances, and establishing a cause of action to redress lack of voter opportunity; amending RCW 36.32.020, 54.12.010, and 29A.76.010; adding a new section to chapter 28A.343 RCW; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; adding a new section to chapter 52.14 RCW; and adding a new chapter to Title 29A RCW.

Referred to Committee on Governmental Operations.

HB 1442 by Representatives Schmick, Cody, Hunt, Condotta, Blake and Sullivan

AN ACT Relating to providing increased access to parimutuel satellite locations in counties with a population exceeding one million; and amending RCW 67.16.200.

Referred to Committee on Commerce & Labor.

HB 1474 by Representatives Pedersen, Rodne, Goodman, Buys, Hunt, Hunter, Hudgins, Carlyle, Fey and Pollet

AN ACT Relating to giving general election voters the power to choose between the top two candidates for nonpartisan offices; reenacting and amending RCW 29A.36.170; and repealing RCW 29A.36.171.

Referred to Committee on Ways & Means.

HB 1639 by Representatives Bergquist, Pike, Riccelli, Carlyle, Walsh, Ryu and Moscoso

AN ACT Relating to presidential elector compensation; and amending RCW 29A.56.350.

Referred to Committee on Governmental Operations.

SHB 1740 by House Committee on Business & Financial Services (originally sponsored by Representatives Kirby, Ryu and Moscoso)

AN ACT Relating to fingerprint-based background checks for state-registered appraiser trainee applicants and existing credential holders; amending RCW 18.140.060 and 18.140.120; and adding a new section to chapter 18.140 RCW.

Referred to Committee on Financial Institutions, Housing & Insurance.

ESHB 1870 by House Committee on Business & Financial Services (originally sponsored by Representatives Habib, Kirby, Ryu, Van De Wege, Takko, Hunter, Appleton, Tarleton, Sawyer, Seaquist, Pollet, Bergquist and Johnson)

AN ACT Relating to methods of payment; amending RCW 19.200.010; and adding new sections to chapter 19.200 RCW.

Referred to Committee on Commerce & Labor.

ESHB 1934 by House Committee on Judiciary (originally sponsored by Representatives Pedersen, Nealey, Hope, Kagi, Goodman, Hansen, Orwall, Pollet, Roberts, Appleton, Hunt, Maxwell, Ormsby, Jinkins, Green, Morrell, Carlyle, Seaquist, Haigh, Hudgins, Pettigrew, Tarleton, Sells, Smith, Reykdal, Sawyer, Morris, Dunshee, Magendanz, Hunter, Wylie, Lias, Fitzgibbon, Fagan, Upthegrove, Farrell, Takko, Ryu, Riccelli, Bergquist, Freeman, Habib, Van De Wege, Haler, Clibborn, Sullivan, Walsh, Tharinger, Moeller, Blake, Cody, Springer, Lytton, McCoy, Stanford, Moscoso, Fey and Santos)

AN ACT Relating to granting all persons who have an ongoing and substantial relationship with a child, including but not limited to grandparents, the right to seek visitation with that child through the courts; amending RCW 26.10.160; adding a new chapter to Title 26 RCW; and repealing RCW 26.09.240.

Referred to Committee on Human Services & Corrections.

ESHB 1950 by House Committee on Environment (originally sponsored by Representative Haler)

AN ACT Relating to designating certain hydroelectric generation from a generation facility located in irrigation pipes, irrigation canals, and wastewater pipes as an eligible renewable resource under chapter 19.285 RCW; and reenacting and amending RCW 19.285.030.

Referred to Committee on Energy, Environment & Telecommunications.

ESHB 1968 by House Committee on Appropriations (originally sponsored by Representatives Kagi, Farrell, Pollet and Fey)

AN ACT Relating to licensing standards for before and after-school programs; amending RCW 43.215.210; and creating a new section.

Referred to Committee on Governmental Operations.

HJM 4001 by Representatives Pedersen, Hope, Carlyle, Goodman, Kagi, Sells, Van De Wege, Haigh, Springer, Lytton, Tharinger, Jinkins, Hunt, Cody, Morrell, Ormsby, Hudgins, Pettigrew, Moeller, Upthegrove, Reykdal, Fitzgibbon, Ryu, Lias, Roberts, Maxwell, Sawyer, Riccelli, Farrell, Pollet, Moscoso, Santos and Hansen

Requesting an amendment to the United States Constitution to return the authority to regulate election campaign contributions to congress and state legislatures.

Referred to Committee on Governmental Operations.

#### MOTION

On motion of Senator Fain, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Engrossed Substitute House Bill No. 1934 which was referred to the Committee on Human Services & Corrections.

#### MOTION

On motion of Senator Fain, the Senate advanced to the eighth order of business.

#### MOTION

Senator Pearson moved adoption of the following resolution:

#### SENATE RESOLUTION 8625

By Senators Pearson, Rolfes, Smith, Kline, Hargrove, Padden, Dammeier, Holmquist Newbry, Schoesler, Hasegawa, Hewitt, and Parlette

WHEREAS, The Washington State Park system, one of the oldest, largest, and most beautiful and diverse state park systems in the country, turns 100 years old on March 19, 2013; and

WHEREAS, Washington was the fourth state in the country to establish a statewide park system in 1913, and the park system is an expression of deeply held Washington values – public lands, adventure, and recreation; and

WHEREAS, Washington State Parks acquires and operates park lands in one of the most ecologically diverse states in the nation and offers a variety of recreation activities, including hiking, biking, camping, boating, winter recreation, and much more; and

WHEREAS, Washington State Parks also acquires, operates, enhances, and protects a diverse system of natural, cultural, and historical resources, including iconic geologic sites, 35 heritage areas, interpretive centers, and 700 historic structures, which together tell the story of our state; and

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WHEREAS, These treasures that are cared for, operated, and preserved by Washington State Parks must be protected for future generations of Washingtonians; and

WHEREAS, Washington's 117 state parks are all over the state, with parks within an hour's drive of almost all citizens; and

WHEREAS, Washington State Parks receive approximately 40 million visits a year, and visits generate \$30 million in direct annual state tax receipts and contribute significantly to the economic health of local communities and economies;

NOW, THEREFORE, BE IT RESOLVED, That the Senate recognize the significance of Washington State Parks to the state's economy, citizens, and quality of life; and

BE IT FURTHER RESOLVED, That the Senate celebrate the 100th birthday of Washington State Parks.

Senators Pearson and Fraser spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8625.

The motion by Senator Pearson carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced representatives and advocates of the state parks; Mark Brown, Washington State Park Recreation Commissioner; Don Hoch, Washington State Park Recreation Director; and Peter Reid, Washington State Parks Recreation Foundation President who were seated in the gallery.

MOTION

On motion of Senator Fain, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5072, by Senators Delvin, Hobbs, Baumgartner, Becker, Carrell, Roach, Schoesler, Holmquist Newbry, Hatfield, Hewitt, Shin, Keiser and Rolfes

Concerning a sales and use tax exemption for disabled veterans and members of the armed forces for certain equipment and services that assist physically challenged persons to safely operate a motor vehicle.

MOTIONS

On motion of Senator Hill, Substitute Senate Bill No. 5072 was substituted for Senate Bill No. 5072 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hill, the rules were suspended, Substitute Senate Bill No. 5072 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hill and Conway spoke in favor of passage of the bill.

MOTION

On motion of Senator Rivers, Senators Baumgartner and Ericksen were excused.

MOTION

On motion of Senator Billig, Senators McAuliffe and Ranker were excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5072.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5072 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

Excused: Senators Baumgartner and Ranker

SUBSTITUTE SENATE BILL NO. 5072, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5680, by Senators Brown, Chase, King, Litzow, Dammeier, Rivers, Schlicher, Smith, Braun, Parlette, Hewitt and Tom

Promoting economic development by providing information to businesses.

MOTION

On motion of Senator Brown, Second Substitute Senate Bill No. 5680 was substituted for Senate Bill No. 5680 and the second substitute bill was placed on the second reading and read the second time.

MOTION

Senator Brown moved that the following striking amendment by Senators Brown and Chase be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 19.02.050 and 2011 c 298 s 6 are each amended to read as follows:

~~((The legislature hereby directs the full participation by the following agencies))~~ Each of the following agencies must fully participate in the implementation of this chapter:

- (1) Department of agriculture;
- (2) Secretary of state;
- (3) Department of social and health services;
- (4) Department of revenue;
- (5) Department of fish and wildlife;
- (6) Employment security department;
- (7) Department of labor and industries;
- (8) ~~((Department of commerce;~~
- ~~((9)))~~ (9) Liquor control board;
- ~~((10)))~~ (10) Department of health;
- ~~((11)))~~ (11) Department of licensing;
- ~~((12) Parks and recreation commission;~~
- ~~((13)))~~ (13) Utilities and transportation commission; ~~((and~~

- ~~(14))~~ (12) Board of accountancy;  
 (13) Department of archaeology and historic preservation;  
 (14) Department of early learning;  
 (15) Department of ecology;  
 (16) Department of financial institutions;  
 (17) Department of transportation;  
 (18) Gambling commission;  
 (19) Horse racing commission;  
 (20) Office of the insurance commissioner;  
 (21) State lottery;  
 (22) Student achievement council;  
 (23) Washington state patrol;  
 (24) Workforce training and education coordinating board; and  
 (25) Other agencies as determined by the governor.

**NEW SECTION. Sec. 2.** A new section is added to chapter 19.02 RCW to read as follows:

(1)(a) Each agency required to fully participate in the implementation of this chapter under RCW 19.02.050 must provide the department with the name of the agency's coordinator for the purposes of implementing the requirements of this section. Using a format designated by the department, each agency must provide the department with the following information:

- (i) A listing of each business license issued by the agency;
- (ii) A description of the persons and specific activities for which the license is required;
- (iii) The time period for which the license is issued and any issuance, renewal, or reissuance requirements; and
- (iv) Other information the department determines necessary to implement this section, including links to the licensing information, application, and instructions on the agency's web site, if available.

(b) An agency that issues licenses in accordance with (i) national or federal mandates, requirements, or standards; or (ii) educational standards and an examination, may alternatively comply with this chapter by providing the department with a link to its licensing web site, summary information about the licensing requirements or standards in a format or formats designated by the department, and a designated agency contact.

(2) In addition to the requirements in subsection (1) of this section, each agency, by November 1st of each year, beginning November 1, 2013, must provide the department with certification on a form designated by the department that all business licensing information submitted by the agency is complete and up-to-date. If an agency has not submitted all the business licensing information required under this section, the agency must instead submit a progress report and explanation to the department.

(3) The department must compile the information submitted by each agency, and submit an aggregate report to the governor and the economic development committees of the legislature by January 1st of each year, beginning January 1, 2014.

**Sec. 3.** RCW 19.02.030 and 2011 c 298 s 5 are each amended to read as follows:

(1) There is located within the department a business license center.

(2) The duties of the center include:

(a) Developing and administering a computerized one-stop master license system capable of storing, retrieving, and exchanging license information with due regard to privacy statutes, as well as issuing and renewing master licenses in an efficient manner;

(b) Providing a license information service detailing requirements to establish or engage in business in this state;

(c) Providing for staggered master license renewal dates;

(d) Identifying types of licenses appropriate for inclusion in the master license system;

(e) Recommending in reports to the governor and the legislature the elimination, consolidation, or other modification of duplicative, ineffective, or inefficient licensing or inspection requirements; and

(f) Incorporating licenses into the master license system. Both the regulatory agency legally authorized to issue the license and the department must agree that the license will be issued through the master license system in order for the license to be incorporated.

(3) The department may adopt under chapter 34.05 RCW such rules as may be necessary to effectuate the purposes of this chapter."

Senators Brown and Chase spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the striking amendment by Senators Brown and Chase to Second Substitute Senate Bill No. 5680.

The motion by Senator Brown carried and the striking amendment was adopted by voice vote.

#### MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 2 of the title, after "businesses;" strike the remainder of the title and insert "amending RCW 19.02.050 and 19.02.030; and adding a new section to chapter 19.02 RCW."

#### MOTION

On motion of Senator Brown, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5680 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brown and Chase spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5680.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5680 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

Excused: Senators Baumgartner and Ranker

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5680, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5362, by Senators Conway, Holmquist Newbry, Keiser and Kohl-Welles

Addressing the recommendations of the vocational rehabilitation subcommittee for workers' compensation.

#### MOTIONS

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On motion of Senator Conway, Substitute Senate Bill No. 5362 was substituted for Senate Bill No. 5362 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Conway, the rules were suspended, Substitute Senate Bill No. 5362 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5362.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5362 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

Excused: Senators Baumgartner and Ranker

SUBSTITUTE SENATE BILL NO. 5362, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5118, by Senators Carrell, Benton, Darneille, Bailey, Roach and Honeyford

Addressing access to original birth certificates after adoption finalization.

MOTION

On motion of Senator Carrell, Substitute Senate Bill No. 5118 was substituted for Senate Bill No. 5118 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Carrell moved that the following striking amendment by Senators Carrell and Rivers be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 26.33.345 and 1993 c 81 s 3 are each amended to read as follows:

(1) The department of social and health services, adoption agencies, and independent adoption facilitators shall release the name and location of the court where a relinquishment of parental rights or finalization of an adoption took place to an adult adoptee, a birth parent of an adult adoptee, an adoptive parent, a birth or adoptive grandparent of an adult adoptee, or an adult sibling of an adult adoptee, or the legal guardian of any of these.

(2) The department of health shall make available a noncertified copy of the original birth certificate of a child to the child's birth parents upon request.

(3)(a) For adoptions finalized after October 1, 1993, the department of health shall make available a noncertified copy of the

original birth certificate to ~~((the adoptee after the adoptee's eighteenth birthday unless the birth parent has filed an affidavit of nondisclosure))~~ an adopted person eighteen years of age or older upon request, unless the birth parent has filed an affidavit of nondisclosure before the effective date of this section or a contact preference form that indicates he or she prefers not to be contacted: PROVIDED, That the affidavit of nondisclosure, the contact preference form, or both have not expired.

(b) For adoptions finalized on or before October 1, 1993, the department of health may not make available the original birth certificate to the adopted person for inspection or copying until after June 30, 2014. After June 30, 2014, the department of health shall make available a noncertified copy of the original birth certificate to an adopted person eighteen years or older upon request, unless the birth parent has filed a contact preference form that indicates he or she prefers not to be contacted: PROVIDED, That the contact preference form has not expired.

(4)(a) Regardless of whether a birth parent has filed an affidavit of nondisclosure or when the adoption was finalized, a birth parent may at any time complete a contact preference form stating his or her preference about personal contact with the adopted person, which, if available, must accompany a birth certificate issued under subsection (3) of this section.

(b) The contact preference form must include the following options:

(i) I would like to be contacted;

(ii) I would like to be contacted only through a confidential intermediary as described in RCW 26.33.343; and

(iii) I prefer not to be contacted and have also completed the birth parent updated medical history form.

(c) If the birth parent indicates he or she prefers not to be contacted, personally identifying information on the contact preference form must be kept confidential and may not be released.

(d) A contact preference form expires upon the death of the birth parent.

(5) If a birth parent files a contact preference form, the birth parent must also file a medical history form with the department of health. Upon request of the adopted person, the department of health must provide the adopted person with the medical history form filed by the adopted person's birth parent.

(6) Both a completed contact preference form and birth parent updated medical history form are confidential and must be placed in a secure file until a match with the adopted person's file is made. Once a match is made, the forms must be placed in the adopted person's sealed file.

(7) If the contact preference form is filed within six months of the first time an adopted person requests a copy of his or her original birth certificate as provided in subsection (3) of this section, the department of health must forward the form to the address of the adopted person. If applicable, the department of health must also forward the birth parent updated medical history form to the address of the adopted person.

(8) The department of health may charge a fee not to exceed twenty dollars for providing a noncertified copy of a birth certificate to an adopted person.

(9) The department of health must create the contact preference form and medical history form. The contact preference form must provide a method to ensure personally identifying information can be kept confidential. The medical history form may not require the birth parent to disclose any identifying information about the birth parent.

(10) An affidavit of nondisclosure expires upon the death of the birth parent."

Senators Carrell, Keiser and Darneille spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the striking amendment by Senators Carrell and Rivers to Substitute Senate Bill No. 5118.

The motion by Senator Carrell carried and the striking amendment was adopted by voice vote.

#### MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 2 of the title, after "finalization;" strike the remainder of the title and insert "and amending RCW 26.33.345."

#### MOTION

On motion of Senator Carrell, the rules were suspended, Engrossed Substitute Senate Bill No. 5118 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Carrell, Darneille and Shin spoke in favor of passage of the bill.

Senator Hargrove spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5118.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5118 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 5; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Ericksen, Fain, Frockt, Harper, Hasegawa, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Parlette, Pearson, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

Voting nay: Senators Eide, Fraser, Hargrove, Hatfield and Padden

Excused: Senators Baumgartner and Ranker

ENGROSSED SUBSTITUTE SENATE BILL NO. 5118, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5352, by Senators Holmquist Newbry, Conway and Hewitt

Clarifying the terminology and duties of the real estate agency relationship law to be consistent with other existing laws.

#### MOTIONS

On motion of Senator Holmquist Newbry, Substitute Senate Bill No. 5352 was substituted for Senate Bill No. 5352 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Holmquist Newbry, the rules were suspended, Substitute Senate Bill No. 5352 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Holmquist Newbry and Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5352.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5352 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

Voting nay: Senator Frockt

Excused: Senators Baumgartner and Ranker

SUBSTITUTE SENATE BILL NO. 5352, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5697, by Senators Braun, Carrell, Dammeier, Rivers and Sheldon

Reducing the frequency of local sales and use tax changes.

#### MOTIONS

On motion of Senator Braun, Substitute Senate Bill No. 5697 was substituted for Senate Bill No. 5697 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Braun, the rules were suspended, Substitute Senate Bill No. 5697 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Braun spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5697.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5697 and the bill passed the Senate by the following vote: Yeas, 36; Nays, 11; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Benton, Billig, Braun, Brown, Carrell, Cleveland, Conway, Dammeier, Ericksen, Fain, Fraser, Hargrove, Harper, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, King, Litzow, Mullet, Padden, Parlette, Pearson, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

Voting nay: Senators Chase, Darneille, Eide, Frockt, Hasegawa, Keiser, Kline, Kohl-Welles, McAuliffe, Murray and Nelson

Excused: Senators Baumgartner and Ranker

SUBSTITUTE SENATE BILL NO. 5697, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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## SECOND READING

SENATE BILL NO. 5219, by Senators Honeyford, Hatfield, Smith, Schoesler, Delvin and Hewitt

Retaining water resources to assure the vitality of local economies.

## MOTION

On motion of Senator Honeyford, Second Substitute Senate Bill No. 5219 was substituted for Senate Bill No. 5219 and the second substitute bill was placed on the second reading and read the second time.

## MOTION

Senator Hargrove moved that the following striking amendment by Senators Hargrove and Honeyford be adopted:

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature finds that purchase of lands by state agencies for less intensive economic uses may affect the economic vitality of local communities by reducing essential water resources necessary to retain economic activity of the area. The legislature finds that a number of parcels of land purchased by state agencies have water rights appurtenant to them. The legislature continues to support agency efforts to allow continued use of portions of land parcels that contribute to the local economy by actions such as leasing back irrigated parcels to local producers for continued production of food and other agricultural commodities. The legislature finds that the economies in many rural areas of the state have declined and are in need of retaining water resources to prevent further decline.

The purpose of this act is to establish a process to retain water rights when they are no longer used on state purchased lands and to make this resource available for alternate uses to continue to support the local economy, jobs, and the tax base rather than be permanently lost to the economy of the area through relinquishment under chapter 90.14 RCW.

**NEW SECTION. Sec. 2.** A new section is added to chapter 90.42 RCW to read as follows:

(1) Within existing appropriations, the department of fish and wildlife, the parks and recreation commission, and the department of natural resources shall each maintain an inventory of water rights appurtenant to each parcel of land purchased by their agencies. Each agency shall seek assistance from the department of ecology in maintaining this inventory. At least once each year, each agency shall review and record whether all or a portion of the water right for each of these lands purchased by the agency has been beneficially used. If the agency does not plan on continuing beneficial use of all or a portion of the water right on the state-owned lands, or if all or a portion of a particular water right has been unused during the prior four-consecutive-year period, the agency shall file a change or transfer application with the department of ecology and commence the process of transferring the unused portion of the water right to the local economy trust water account established in this chapter. Before the end of the fifth year of nonuse of all or a portion of the water rights, the transfer must be completed and the water right shall be temporarily held by the department of ecology as a local economy trust water right until the water right is transferred to another beneficial use as provided in subsection (3) of this section.

(2) If an agency has commenced the process of transferring all or a portion of a water right as required under subsection (1) of this

section, but subsequently placed the water right to beneficial use on the state-owned land before the end of the fifth year, and plans to continue to fully use the water right in subsequent years, the agency shall notify the department of ecology to terminate the transfer of the water right to the local economy trust water account.

(3) Water rights temporarily held by the department of ecology under this section shall be available for transfer to a new use or uses within the same WRIA as the original use, consistent with RCW 90.03.380 or 90.44.100, as appropriate. Once a water right is transferred to the local economy trust water account and the department has completed a trust water agreement and identified the area of suitability for transfer consistent with chapter 90.38 or 90.44 RCW, the department must provide notification that a water right may be available to the person who filed an application for a new water right under chapter 90.03 or 90.44 RCW as appropriate, based on whose water right appropriation is next in line for processing within the area of suitability for transfer within the WRIA.

(4)(a) A request to transfer the water right may be processed if:

(i) The applicant responds to the department within thirty calendar days; and

(ii) The applicant agrees to pay the department's costs associated with placing the new water supplies into the local economy trust water account and completing the transfer from the local economy trust water account to the applicant's new use.

(b) If the thirty-day period elapses and an affirmative written response is not received from the applicant by the department, the department shall provide the notice to the next applicant in line in accordance with subsection (3) of this section.

(5) If the department has not issued a permit within three years of the date that the water right was transferred into the local economy trust water account, the department shall submit a written report to the standing committees of the legislature with jurisdiction over water right matters, and to the legislators representing the area in which the original water right was used providing the reasons for the failure to approve a transfer of the water right to a new use.

(6) If a person does not indicate an interest in obtaining a water right from the local economy trust water account, it does not affect the standing of the original water right application.

(7) This section does not apply to properties with deed restrictions in conflict with this section or where application of this section would otherwise violate law.

(8) The provisions of this section and section 3 of this act apply to all WRIsAs in the state.

(9) This section does not apply to nonconsumptive water rights used by fish hatcheries and associated rearing ponds, or to water rights associated with permit-exempt wells established under RCW 90.44.050.

(10) This section does not apply to state lands as defined in RCW 79.02.010, managed by the department of natural resources, or to state forest lands as defined in RCW 79.02.010.

(11) As used in this section and section 3 of this act, "WRIA" means a water resource inventory area established in chapter 173-500 WAC.

**NEW SECTION. Sec. 3.** A new section is added to chapter 90.42 RCW to read as follows:

(1) If the agency's nonuse of a water right meets any of the sufficient cause exceptions listed in RCW 90.14.140(1), the agency is not required to place that specific unused water into the local economy trust water account.

(2) Upon the transfer of a water right under section 2(1) of this act, the department shall establish a local economy trust water account for the WRIA in which the water right had been used. The department shall place and hold the water right in the account pending completion of a transfer to another beneficial use as provided in this section and section 2 of this act.

(3) The department may transfer all or a portion of a water right held in the local economy trust water account to a new water use identified through the process in section 2 of this act upon occurrence of all of the following:

(a) The department receives a request from a qualified applicant identified pursuant to section 2 of this act for transfer of a water right or portion thereof; and

(b) The request is reviewed and approved under RCW 90.03.380 or 90.44.100, as applicable, for the new beneficial use or uses. The department may not authorize the use of a water right if it causes detriment or injury to existing rights.

(4) The priority date of the water right or portion thereof transferred by the department from the local economy trust water account shall be the priority date of the underlying water right that had been transferred into the local economy trust water account, but as between the underlying water right and the new transferred right, the underlying water right shall be deemed to be senior in priority unless otherwise specified by agreement between the agency holding the underlying water right and the new water right holder.

(5) The department shall issue documentation for that water right or portion thereof to the new water right holder based on the requirements applicable to the transfer of other water rights from the trust water program, as provided under this chapter or chapter 90.38 RCW, as applicable. Documentation must include a description of the property to which the water right will be appurtenant after the water right or portion thereof is transferred from local economy trust water account to the new water right holder.

(6) The department's decision on the transfer of a water right or portion thereof from the local economy trust water account may be appealed to the pollution control hearings board under RCW 43.21B.230 or to a superior court conducting a general adjudication under RCW 90.03.210.

(7) Notice of application for transfer of a water right under this section must be published by the applicant as provided under RCW 90.03.380. The department must provide electronic notice and opportunity to comment to affected local governments and affected federally recognized tribal governments before initiating use of the local economy trust water account for the first time in a WRIA.

(8) Water rights are not subject to loss by statutory relinquishment under RCW 90.14.130 through 90.14.200 while such water rights are:

(a) Waiting for a final determination from the department on a change or transfer application filed under RCW 90.03.250, 90.03.380, or 90.44.100;

(b) In a local economy trust water account while being held by the department as a trust water right under this chapter or chapter 90.38 RCW; or

(c) Within a construction or development schedule period granted in the approved water right transfer document or any development schedule granted under RCW 90.03.320 for the new water right holder to place the water to beneficial use."

Senators Hargrove and Honeyford spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the striking amendment by Senators Hargrove and Honeyford to Second Substitute Senate Bill No. 5219.

The motion by Senator Hargrove carried and the striking amendment was adopted by voice vote.

#### MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 2 of the title, after "economies;" strike the remainder of the title and insert "adding new sections to chapter 90.42 RCW; and creating a new section."

#### MOTION

On motion of Senator Honeyford, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5219 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Honeyford spoke in favor of passage of the bill.

Senator Nelson spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5219.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5219 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 20; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Benton, Braun, Brown, Carrell, Dammeier, Ericksen, Fain, Hargrove, Hatfield, Hewitt, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Litzow, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon, Smith and Tom

Voting nay: Senators Billig, Chase, Cleveland, Conway, Darneille, Eide, Fraser, Frockt, Harper, Hasegawa, Hill, Kline, Kohl-Welles, McAuliffe, Mullet, Murray, Nelson, Rolfes, Schlicher and Shin

Excused: Senators Baumgartner and Ranker

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5219, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5755, by Senators Litzow, McAuliffe, Kohl-Welles, Conway and Kline

Establishing a comprehensive initiative to increase learning opportunities and improve educational outcomes in science, technology, engineering, and mathematics through multiple strategies and statewide partnerships.

#### MOTIONS

On motion of Senator Dammeier, Substitute Senate Bill No. 5755 was substituted for Senate Bill No. 5755 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Dammeier, the rules were suspended, Substitute Senate Bill No. 5755 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dammeier and McAuliffe spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5755.

#### ROLL CALL

FIFTY SEVENTH DAY, MARCH 11, 2013

2013 REGULAR SESSION

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5755 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

Excused: Senator Baumgartner

SUBSTITUTE SENATE BILL NO. 5755, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

At 11:14 a.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

#### AFTERNOON SESSION

The Senate was called to order at 3:46 p.m. by President Owen.

#### SECOND READING

SENATE BILL NO. 5195, by Senators Rolfes, Hill, Tom, Bailey and Fain

Allowing nonprofit institutions recognized by the state of Washington to be eligible to participate in the state need grant program.

#### MOTIONS

On motion of Senator Rolfes, Substitute Senate Bill No. 5195 was substituted for Senate Bill No. 5195 and the substitute bill was placed on the second reading and read the second time.

#### MOTION

On motion of Senator Fain, further consideration of Substitute Senate Bill No. 5195 was deferred and the bill held its place on the second reading calendar.

#### MOTION TO LIMIT DEBATE

Senator Fain: "Mr. President, I move that the members of the Senate be allowed to speak but once on each question before the Senate, that such speech be limited to three minutes and that members be prohibited from yielding their time, however, the maker of a motion shall be allowed to open and close debate. This motion shall be in effect through March 11, 2013."

The President declared the question before the Senate to be the motion by Senator Fain to limit debate.

The motion by Senator Fain carried and debate was limited through March 11, 2013 by voice vote.

#### SECOND READING

SENATE BILL NO. 5208, by Senators Benton, Hobbs, Nelson, Hatfield, Mullet and Shin

Addressing fees and semiannual assessments, powers, lending limits, and technical amendments related to state-chartered banks, savings banks, savings associations, and trust companies. Revised for 1st Substitute: Concerning banks, trust companies, savings banks, and savings associations, and making technical amendments to the laws governing the department of financial institutions.

#### MOTION

On motion of Senator Benton, Substitute Senate Bill No. 5208 was substituted for Senate Bill No. 5208 and the substitute bill was placed on the second reading and read the second time.

#### MOTION

Senator Benton moved that the following amendment by Senators Benton and Hobbs be adopted:

On page 39, after line 12, strike all of section 36

Senator Benton spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senators Benton and Hobbs on page 39, after line 12 to Substitute Senate Bill No. 5208.

The motion by Senator Benton carried and the amendment was adopted by voice vote.

#### MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 11 of the title, after "32.08.1551;" strike the remainder of the title and insert "providing a contingent effective date; and providing a contingent expiration date."

#### MOTION

On motion of Senator Benton, the rules were suspended, Engrossed Substitute Senate Bill No. 5208 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Benton and Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5208.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5208 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

ENGROSSED SUBSTITUTE SENATE BILL NO. 5208, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Bailey: "Some of you may be aware if you've been following some of the news today that we lost an airplane this morning from Whidbey Island. The latest report I have is that all have been lost in the crash. At this point in time I appreciate the opportunity to ask this body to take a moment and think about the families and the men and women that are involved. Protection of our country doesn't come without great risk. These men and women train and this was a training unit this morning and I'm just heartsick at the loss in our community today. Thank you Mr. President."

#### SECOND READING

SENATE BILL NO. 5784, by Senators Holmquist Newbry, Hewitt, Harper, Eide, Hobbs, Keiser, Becker, Hasegawa, Shin, Kline, Braun, Fain and Conway

Concerning the joint center for aerospace technology innovation.

The measure was read the second time.

#### MOTION

On motion of Senator Holmquist Newbry, the rules were suspended, Senate Bill No. 5784 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Holmquist Newbry and Chase spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5784.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5784 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

SENATE BILL NO. 5784, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5183, by Senators Padden and Kline

Concerning financing statements to perfect security interests.

The measure was read the second time.

#### MOTION

Senator Kline moved that the following amendment by Senators Kline and Padden be adopted:

On page 5, after line 4, insert the following:

"NEW SECTION. **Sec. 3.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2013."

Senators Kline and Padden spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senators Kline and Padden on page 5, after line 4 to Senate Bill No. 5183.

The motion by Senator Kline carried and the amendment was adopted by voice vote.

#### MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 2 of the title, after "interests;" strike "and"

On page 1, line 2 of the title, after "62A.9A-503" insert "; providing an effective date; and declaring an emergency"

#### MOTION

On motion of Senator Padden, the rules were suspended, Engrossed Senate Bill No. 5183 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5183.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5183 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

ENGROSSED SENATE BILL NO. 5183, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5679, by Senators Brown, Chase, King, Litzow, Dammeier, Schoesler, Rivers, Smith, Braun, Hewitt, Sheldon and Tom

Improving the business climate and stimulating job creation by requiring certain agencies to establish a formal review process of existing rules.

#### MOTIONS

On motion of Senator Brown, Substitute Senate Bill No. 5679 was substituted for Senate Bill No. 5679 and the substitute bill was placed on the second reading and read the second time.

FIFTY SEVENTH DAY, MARCH 11, 2013

2013 REGULAR SESSION

On motion of Senator Brown, the rules were suspended, Substitute Senate Bill No. 5679 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brown and Chase spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5679.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5679 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Erickson, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

SUBSTITUTE SENATE BILL NO. 5679, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5726, by Senators Braun, Tom, Bailey, Schoesler, Padden and Benton

Placing geographic limitations on local paid sick leave and paid safe leave programs.

The measure was read the second time.

#### MOTION

Senator Hatfield moved that the following striking amendment by Senator Hatfield and others be adopted:

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** A new section is added to chapter 35.21 RCW to read as follows:

(1) No city or town may require an employer to provide paid sick leave or paid safe leave to an employee unless:

(a) The employer has a physical location within the jurisdiction; and

(b) The employee works at or reports to that physical location for at least eighty-five percent of the hours regularly and customarily worked for that employer.

(2) This section applies to any ordinance, code, regulation, or rule enacted on or after the effective date of this section, or in effect on the effective date of this section.

(3) For purposes of this section:

(a) "Paid sick leave" means paid leave:

(i) Due to the employee's mental or physical illness, injury, or health condition; need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or need for preventive medical care; or

(ii) To allow the employee to provide care of a family member with a mental or physical illness, injury, or health condition; who needs medical diagnosis, care, or treatment of a mental or physical

illness, injury, or health condition; or who needs preventive medical care.

(b) "Paid safe leave" means paid leave:

(i) Due to an employee's place of business, or the school or place of care of an employee's child, being closed by order of a public official to limit exposure to an infectious agent, biological toxin, or hazardous material; or

(ii) Due to an employee or an employee's family member being a victim of domestic violence, sexual assault, or stalking.

(c) "Employer" has the same meaning as provided in RCW 49.12.005.

(d) "Employee" has the same meaning as provided in RCW 49.12.005.

(4) This section may not be construed to impair any provision in a collective bargaining agreement.

**NEW SECTION. Sec. 2.** A new section is added to chapter 35A.21 RCW to read as follows:

(1) No code city may require an employer to provide paid sick leave or paid safe leave to an employee unless:

(a) The employer has a physical location within the jurisdiction; and

(b) The employee works at or reports to that physical location for at least eighty-five percent of the hours regularly and customarily worked for that employer.

(2) This section applies to any ordinance, code, regulation, or rule enacted on or after the effective date of this section, or in effect on the effective date of this section.

(3) For purposes of this section:

(a) "Paid sick leave" means paid leave:

(i) Due to the employee's mental or physical illness, injury, or health condition; need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or need for preventive medical care; or

(ii) To allow the employee to provide care of a family member with a mental or physical illness, injury, or health condition; who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or who needs preventive medical care.

(b) "Paid safe leave" means paid leave:

(i) Due to an employee's place of business, or the school or place of care of an employee's child, being closed by order of a public official to limit exposure to an infectious agent, biological toxin, or hazardous material; or

(ii) Due to an employee or an employee's family member being a victim of domestic violence, sexual assault, or stalking.

(c) "Employer" has the same meaning as provided in RCW 49.12.005.

(d) "Employee" has the same meaning as provided in RCW 49.12.005.

(4) This section may not be construed to impair any provision in a collective bargaining agreement.

**NEW SECTION. Sec. 3.** A new section is added to chapter 36.01 RCW to read as follows:

(1) No county may require an employer to provide paid sick leave or paid safe leave to an employee unless:

(a) The employer has a physical location within the jurisdiction; and

(b) The employee works at or reports to that physical location for at least eighty-five percent of the hours regularly and customarily worked for that employer.

(2) This section applies to any ordinance, code, regulation, or rule enacted on or after the effective date of this section, or in effect on the effective date of this section.

(3) For purposes of this section:

(a) "Paid sick leave" means paid leave:

(i) Due to the employee's mental or physical illness, injury, or health condition; need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or need for preventive medical care; or

(ii) To allow the employee to provide care of a family member with a mental or physical illness, injury, or health condition; who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or who needs preventive medical care.

(b) "Paid safe leave" means paid leave:

(i) Due to an employee's place of business, or the school or place of care of an employee's child, being closed by order of a public official to limit exposure to an infectious agent, biological toxin, or hazardous material; or

(ii) Due to an employee or an employee's family member being a victim of domestic violence, sexual assault, or stalking.

(c) "Employer" has the same meaning as provided in RCW 49.12.005.

(d) "Employee" has the same meaning as provided in RCW 49.12.005.

(4) This section may not be construed to impair any provision in a collective bargaining agreement."

Senators Hatfield and Braun spoke in favor of adoption of the striking amendment.

Senator Conway spoke against adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the striking amendment by Senator Hatfield and others to Senate Bill No. 5726.

The motion by Senator Hatfield carried and the striking amendment was adopted by voice vote.

#### MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 2 of the title, after "programs;" strike the remainder of the title and insert "adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; and adding a new section to chapter 36.01 RCW."

#### MOTION

On motion of Senator Braun, the rules were suspended, Engrossed Senate Bill No. 5726 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun, Schoesler, Sheldon, Holmquist Newbry, Tom and Hobbs spoke in favor of passage of the bill.

Senators Keiser, Frockt, Hasegawa, Kohl-Welles, Murray, Kline and Conway spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5726.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5726 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Braun, Brown, Carrell, Dammeier, Eide, Ericksen, Fain, Hargrove, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, King, Litzow, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon, Smith and Tom

Voting nay: Senators Billig, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Harper, Hasegawa, Keiser, Kline, Kohl-Welles, McAuliffe, Mullet, Murray, Nelson, Ranker, Rolfes, Schlicher and Shin

ENGROSSED SENATE BILL NO. 5726, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5656, by Senators Braun, Carrell, Rivers, Sheldon, Hobbs and Fain

Revising business licensing systems.

#### MOTION

On motion of Senator Braun, Substitute Senate Bill No. 5656 was substituted for Senate Bill No. 5656 and the substitute bill was placed on the second reading and read the second time.

#### MOTION

Senator Mullet moved that the following amendment by Senator Mullet be adopted:

On page 1, line 10, after "RCW" insert "or through a city-developed portal"

On page 1, line 16, after "RCW" insert "or through a city-developed portal"

On page 2, after line 13, strike all of subsection (4) and insert the following:

"(4) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Business and occupation tax" has the same meaning as in RCW 35.102.030.

(b) "City-developed portal" means a single portal with at least five participating cities that allows for the issuance or renewal of general business licenses for all participating cities."

Senators Mullet and Braun spoke in favor of adoption of the amendment.

Senator Nelson spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Mullet on page 1, line 10 to Substitute Senate Bill No. 5656.

The motion by Senator Mullet carried and the amendment was adopted by voice vote.

#### MOTION

On motion of Senator Braun, the rules were suspended, Engrossed Substitute Senate Bill No. 5656 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun and Mullet spoke in favor of passage of the bill.

Senator Chase spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5656.

#### ROLL CALL

FIFTY SEVENTH DAY, MARCH 11, 2013

2013 REGULAR SESSION

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5656 and the bill passed the Senate by the following vote: Yeas, 33; Nays, 16; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Conway, Dammeier, Eide, Ericksen, Fain, Frockt, Hargrove, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, King, Litzow, Mullet, Padden, Parlette, Pearson, Rivers, Roach, Schlicher, Schoesler, Sheldon, Smith and Tom

Voting nay: Senators Chase, Cleveland, Darneille, Fraser, Harper, Hasegawa, Hatfield, Keiser, Kline, Kohl-Welles, McAuliffe, Murray, Nelson, Ranker, Rolfes and Shin

ENGROSSED SUBSTITUTE SENATE BILL NO. 5656, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5158, by Senators Braun, Holmquist Newbry, Becker, Bailey, Roach, Sheldon, Dammeier, Schoesler and Honeyford

Creating a good faith defense for certain minimum wage and overtime compensation complaints.

The measure was read the second time.

#### MOTION

On motion of Senator Braun, the rules were suspended, Senate Bill No. 5158 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun, Holmquist Newbry and Becker spoke in favor of passage of the bill.

Senators Keiser, Conway, Hargrove, Rolfes and Frockt spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5158.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5158 and the bill passed the Senate by the following vote: Yeas, 25; Nays, 24; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Braun, Brown, Carrell, Dammeier, Ericksen, Fain, Hewitt, Hill, Holmquist Newbry, Honeyford, King, Litzow, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon, Smith and Tom

Voting nay: Senators Billig, Chase, Cleveland, Conway, Darneille, Eide, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hobbs, Keiser, Kline, Kohl-Welles, McAuliffe, Mullet, Murray, Nelson, Ranker, Rolfes, Schlicher and Shin

SENATE BILL NO. 5158, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5107, by Senators Padden and Holmquist Newbry

Concerning prevailing wages for workers employed in residential construction.

The measure was read the second time.

#### MOTION

On motion of Senator Padden, the rules were suspended, Senate Bill No. 5107 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden and King spoke in favor of passage of the bill.

Senators Hasegawa, Conway and Keiser spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5107.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5107 and the bill passed the Senate by the following vote: Yeas, 26; Nays, 23; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Braun, Brown, Carrell, Dammeier, Ericksen, Fain, Hewitt, Hill, Holmquist Newbry, Honeyford, King, Litzow, Mullet, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon, Smith and Tom

Voting nay: Senators Billig, Chase, Cleveland, Conway, Darneille, Eide, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hobbs, Keiser, Kline, Kohl-Welles, McAuliffe, Murray, Nelson, Ranker, Rolfes, Schlicher and Shin

SENATE BILL NO. 5107, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5686, by Senator King

Requiring surveys to develop data for prevailing wage determinations.

#### MOTIONS

On motion of Senator King, Substitute Senate Bill No. 5686 was substituted for Senate Bill No. 5686 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator King, the rules were suspended, Substitute Senate Bill No. 5686 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

Senators Conway and Hasegawa spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5686.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5686 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 22; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Braun, Brown, Carrell, Dammeier, Ericksen, Fain, Hargrove, Hewitt, Hill, Holmquist Newbry, Honeyford, King, Litzow, Mullet, Padden, Parlette, Pearson, Rivers, Schoesler, Sheldon, Shin, Smith and Tom

Voting nay: Senators Billig, Chase, Cleveland, Conway, Darneille, Eide, Fraser, Frockt, Harper, Hasegawa, Hatfield, Hobbs, Keiser, Kline, Kohl-Welles, McAuliffe, Murray, Nelson, Ranker, Roach, Rolfes and Schlicher

SUBSTITUTE SENATE BILL NO. 5686, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5160, by Senators Holmquist Newbry, Becker, Braun, Carrell, Sheldon, Schoesler, Honeyford and Roach

Creating a process for administrative reassignment of public employees. Revised for 1st Substitute: Creating a process for home assignment of public employees.

#### MOTIONS

On motion of Senator Holmquist Newbry, Substitute Senate Bill No. 5160 was substituted for Senate Bill No. 5160 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Holmquist Newbry, the rules were suspended, Substitute Senate Bill No. 5160 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Holmquist Newbry and Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5160.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5160 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

SUBSTITUTE SENATE BILL NO. 5160, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Kline: "Just a reminder to the members, it's that time of year and it's soon to be that time of night. The machine is in order. It's over in the what we now call the breath of life. The water of life is available to us now. Just as a reminder to those who are old enough to remember the architectural changes that happened about ten years ago. I'll be sensitive Mr. President in

how I say this. We men members still have a restroom over here but the machine is very close to the restroom. So, guys, remember close the door. Thank you."

#### PERSONAL PRIVILEGE

Senator Murray: "Thank you Mr. President. I'm not sure if it's a personal privilege. I just want to clarify, since we're on TVW, the member's remarks. He was referring to a coffee machine. And that was a glass and that was a glass, I guess coffee glass he was holding up and not a scotch glass. Thank you."

#### SECOND READING

SENATE BILL NO. 5355, by Senators Holmquist Newbry, Conway, Kohl-Welles and Keiser

Implementing the unemployment insurance integrity provisions of the federal trade adjustment assistance extension act of 2011.

The measure was read the second time.

#### MOTION

On motion of Senator Holmquist Newbry, the rules were suspended, Senate Bill No. 5355 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Holmquist Newbry and Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5355.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5355 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

SENATE BILL NO. 5355, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Sheldon: "Thank you Mr. President. I think I'm probably, I know I'm a west sider but I haven't seen any east siders. I mean east of the cascades mountain. Perhaps I was off the floor when this occurred but I haven't heard anyone mention the Gonzaga Basketball Team ranked number one in Washington State in the United States. It's the first time that team, any Washington team has ever been ranked number one and they're going into their last game here in Washington with Saint. Mary's here tonight at six o'clock. So, let's go Zags."

#### PERSONAL PRIVILEGE

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Senator Billig: “Thank you Mr. President. Well, I’m glad the Senator brought that up as I made that, I pointed that out a few days ago about the first number one team in the history of the state of Washington. I appreciate the words of good luck for the Third District’s Gonzaga Bulldogs. And I also wanted to point out that the women’s basketball team from Gonzaga won the West Coast Conference Championship and let’s hope that we sweep it with the men’s victory tonight. Go Zags. Thank you Mr. President.”

## MOTION

On motion of Senator Hobbs, Senator Hatfield was excused.

## SECOND READING

SENATE BILL NO. 5400, by Senators Honeyford, Ericksen and Hewitt

Allowing utilities serving customers in Washington and in other states to use eligible renewable resources located within the western electricity coordinating council area to comply with chapter 19.285 RCW, the energy independence act. Revised for 1st Substitute: Allowing utilities serving customers in Washington and in other states to use eligible renewable resources in their other states to comply with chapter 19.285 RCW, the energy independence act.

## MOTIONS

On motion of Senator Honeyford, Substitute Senate Bill No. 5400 was substituted for Senate Bill No. 5400 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Honeyford, the rules were suspended, Substitute Senate Bill No. 5400 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Honeyford and Ericksen spoke in favor of passage of the bill.

Senators Ranker, Frockt and Chase spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5400.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5400 and the bill passed the Senate by the following vote: Yeas, 25; Nays, 23; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Braun, Brown, Carrell, Dammeier, Ericksen, Fain, Hewitt, Hill, Holmquist Newbry, Honeyford, King, Litzow, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon, Smith and Tom

Voting nay: Senators Billig, Chase, Cleveland, Conway, Darneille, Eide, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hobbs, Keiser, Kline, Kohl-Welles, McAuliffe, Mullet, Murray, Nelson, Ranker, Rolfes, Schlicher and Shin

Excused: Senator Hatfield

SUBSTITUTE SENATE BILL NO. 5400, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Senator Fain, Rule 15 was suspended for the remainder of the day for the purpose of allowing continued floor action.

EDITOR’S NOTE: Senate Rule 15 establishes the floor schedule and calls for a lunch and dinner break of 90 minutes each per day during regular daily sessions.

## MOTION

At 6:12 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

EVENING SESSION

The Senate was called to order at 6:50 p.m. by President Owen.

## SECOND READING

SENATE BILL NO. 5702, by Senators Honeyford, Pearson and Ranker

Concerning aquatic invasive species.

## MOTIONS

On motion of Senator Honeyford, Substitute Senate Bill No. 5702 was substituted for Senate Bill No. 5702 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Honeyford, the rules were suspended, Substitute Senate Bill No. 5702 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Honeyford, Chase and Carrell spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5702.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5702 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 3; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Smith and Tom

Absent: Senators Hasegawa, McAuliffe and Shin

SUBSTITUTE SENATE BILL NO. 5702, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 5627, by Senators Eide, Parlette, Ranker, Shin and Litzow

Concerning the taxation of commuter air carriers.

The measure was read the second time.

#### MOTION

On motion of Senator Eide, the rules were suspended, Senate Bill No. 5627 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Eide, Fain and Ranker spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5627.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5627 and the bill passed the Senate by the following vote: Yeas, 41; Nays, 8; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Parlette, Pearson, Ranker, Roach, Schlicher, Schoesler, Sheldon, Shin and Tom

Voting nay: Senators Baumgartner, Benton, Brown, Holmquist Newbry, Padden, Rivers, Rolfes and Smith

SENATE BILL NO. 5627, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5200, by Senators Hatfield and Shin

Concerning consolidating a new exempt withdrawal of groundwater into an existing public water system.

#### MOTION

On motion of Senator Hatfield, Substitute Senate Bill No. 5200 was substituted for Senate Bill No. 5200 and the substitute bill was placed on the second reading and read the second time.

#### MOTION

Senator Hatfield moved that the following striking amendment by Senator Hatfield be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 90.44.105 and 1997 c 446 s 1 are each amended to read as follows:

(1)(a) Upon the issuance by the department of an amendment to the appropriate permit or certificate of groundwater right, the holder of a valid right to withdraw public groundwaters may consolidate that right with a groundwater right exempt from the permit requirement under RCW 90.44.050, without affecting the priority of either of the water rights being consolidated. Such a consolidation amendment shall be issued only after publication of a notice of the application, a comment period, and a determination made by the department, in lieu of meeting the conditions required for an amendment under RCW 90.44.100, that:

~~((4))~~ (i) The exempt well taps the same body of public groundwater as the well to which the water right of the exempt well is to be consolidated;

~~((2))~~ (ii) Use of the exempt well shall be discontinued upon approval of the consolidation amendment to the permit or certificate;

~~((3))~~ (iii) Legally enforceable agreements have been entered to prohibit the construction of another exempt well to serve the area previously served by the exempt well to be discontinued, and such agreements are binding upon subsequent owners of the land through appropriate binding limitations on the title to the land;

~~((4))~~ (iv) The exempt well or wells the use of which is to be discontinued will be properly decommissioned in accordance with chapter 18.104 RCW and the rules of the department; and

~~((5))~~ (v) Other existing rights, including ground and surface water rights and minimum stream flows adopted by rule, shall not be impaired.

(b) The notice required by this section shall be published by the applicant in a newspaper of general circulation in the county or counties in which the wells for the rights to be consolidated are located once a week for two consecutive weeks. The applicant shall provide evidence of the publication of the notice to the department. The comment period shall be for thirty days beginning on the date the second notice is published.

(2) The amount of the water to be added to the holder's permit or certificate upon discontinuance of the exempt well or approval of a consolidation under subsection (3) of this section shall be the average withdrawal from the well, in gallons per day, for the most recent five-year period preceding the date of the application, except that the amount shall not be less than eight hundred gallons per day for each residential connection or such alternative minimum amount as may be established by the department in consultation with the department of health, and shall not exceed five thousand gallons per day. The department shall presume that an amount identified by the applicant as being the average withdrawal from the well during the most recent five-year period is accurate if the applicant establishes that the amount identified for the use or uses of water from the exempt well is consistent with the average amount of water used for similar use or uses in the general area in which the exempt well is located. The department shall develop, in consultation with the department of health, a schedule of average household and small-area landscaping water usages in various regions of the state to aid the department and applicants in identifying average amounts used for these purposes. The presumption does not apply if the department finds credible evidence of nonuse of the well during the required period or credible evidence that the use of water from the exempt well or the intensity of the use of the land supported by water from the exempt well is substantially different than such uses in the general area in which the exempt well is located. The department shall also accord a presumption in favor of approval of such consolidation if the requirements of this subsection are met and the discontinuance of the exempt well is consistent with an adopted coordinated water system plan under chapter 70.116 RCW, an adopted comprehensive land use plan under chapter 36.70A RCW, or other comprehensive watershed management plan applicable to the area containing an objective of decreasing the number of existing and newly developed small groundwater withdrawal wells. The department shall provide a priority to reviewing and deciding upon applications subject to this subsection, and shall make its decision within sixty days of the end of the comment period following publication of the notice by the applicant or within sixty days of the date on which compliance with the state environmental policy act, chapter 43.21C RCW, is completed, whichever is later. The applicant and the department may by prior mutual agreement extend the time for making a decision.

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(3) An existing publicly owned and operated group A or group B water system, as those terms are defined in RCW 70.119A.020, may serve a proposed new development with a quantity of water that otherwise would be withdrawn for beneficial use under the permit exemption in RCW 90.44.050. However, not more than five thousand gallons per day may be provided in this manner by any water system. The existing water rights for a water system will be increased by the amount of water beneficially used for that purpose if the following conditions are met:

(a) A determination is made under RCW 58.17.110 or 19.27.097 that potable water is legally available for single or group domestic use under the permit exemption in RCW 90.44.050 and that provision of this water by the existing water system would comply with water resource rules adopted by the department under chapter 90.54 RCW;

(b) The existing water system does not have water rights in sufficient quantities to serve the proposed new development and withdraws water from the same body of public groundwater as would a new well constructed to serve the proposed new development;

(c) The water system is in compliance with the water use efficiency requirements of RCW 70.119A.180(4), drinking water rules adopted by the department of health under RCW 43.70.040, and rules adopted by the state board of health under RCW 43.20.050(2)(a); and

(d) Within five years of providing a water supply under this subsection, the water system complies with the applicable requirements of subsections (1) and (2) of this section and, at such time, provides the department with metered water use information for the new development to serve as the basis for quantifying the consolidation."

Senator Hatfield spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the striking amendment by Senator Hatfield to Substitute Senate Bill No. 5200.

The motion by Senator Hatfield carried and the striking amendment was adopted by voice vote.

MOTION

There being no objection, the following title amendment was adopted:

On page 1, beginning on line 2 of the title, after "system;" strike the remainder of the title and insert "and amending RCW 90.44.105."

MOTION

On motion of Senator Hatfield, the rules were suspended, Engrossed Substitute Senate Bill No. 5200 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hatfield, Honeyford and Sheldon spoke in favor of passage of the bill.

Senator Nelson spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5200.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5200 and the bill passed the Senate by the following vote: Yeas, 38; Nays, 11; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Cleveland, Dammeier, Eide, Ericksen, Fain, Frockt, Hargrove, Harper, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, King, Litzow, Mullet, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

Voting nay: Senators Chase, Conway, Darneille, Fraser, Hasegawa, Keiser, Kline, Kohl-Welles, McAuliffe, Murray and Nelson

ENGROSSED SUBSTITUTE SENATE BILL NO. 5200, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5568, by Senators Hobbs, Kohl-Welles, Billig, Frockt, Chase, Harper, Hasegawa, Keiser, Shin, Kline and Nelson

Concerning the disclosure of certain information when screening tenants.

MOTIONS

On motion of Senator Hobbs, Substitute Senate Bill No. 5568 was substituted for Senate Bill No. 5568 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hobbs, the rules were suspended, Substitute Senate Bill No. 5568 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hobbs, Frockt and Kohl-Welles spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5568.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5568 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

Voting nay: Senators Holmquist Newbry, Padden and Parlette

SUBSTITUTE SENATE BILL NO. 5568, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5092, by Senators Benton, Shin, Braun, Roach and Honeyford

Providing an exemption from continuing competency requirements for registered nurses who seek advanced nursing degrees.

The measure was read the second time.

#### MOTION

On motion of Senator Benton, the rules were suspended, Senate Bill No. 5092 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Benton and Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5092.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5092 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

SENATE BILL NO. 5092, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5389, by Senators Billig, Fain, Hargrove, Litzow, Murray, Tom, Kohl-Welles, Rolfes, Harper and Chase

Concerning sibling visitation for children in foster care. Revised for 2nd Substitute: Concerning sibling visitation and sibling contact for children in foster care.

#### MOTION

On motion of Senator Billig, Second Substitute Senate Bill No. 5389 was substituted for Senate Bill No. 5389 and the second substitute bill was placed on the second reading and read the second time.

#### MOTION

Senator Billig moved that the following striking amendment by Senators Billig and Carrell be adopted:

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The Washington state legislature recognizes the importance of frequent and meaningful contact for siblings separated due to involvement in the foster care system. The legislature also recognizes that children and youth in foster care have not always been provided adequate opportunities for visitation with their siblings. It is the intent of the legislature to encourage appropriate facilitation of sibling visits.

**Sec. 2.** RCW 13.34.136 and 2011 c 309 s 29 are each amended to read as follows:

(1) Whenever a child is ordered removed from the home, a permanency plan shall be developed no later than sixty days from the time the supervising agency assumes responsibility for providing services, including placing the child, or at the time of a hearing under RCW 13.34.130, whichever occurs first. The permanency planning process continues until a permanency planning goal is achieved or dependency is dismissed. The planning process shall include reasonable efforts to return the child to the parent's home.

(2) The agency supervising the dependency shall submit a written permanency plan to all parties and the court not less than fourteen days prior to the scheduled hearing. Responsive reports of parties not in agreement with the department's or supervising agency's proposed permanency plan must be provided to the department or supervising agency, all other parties, and the court at least seven days prior to the hearing.

The permanency plan shall include:

(a) A permanency plan of care that shall identify one of the following outcomes as a primary goal and may identify additional outcomes as alternative goals: Return of the child to the home of the child's parent, guardian, or legal custodian; adoption, including a tribal customary adoption as defined in RCW 13.38.040; guardianship; permanent legal custody; long-term relative or foster care, until the child is age eighteen, with a written agreement between the parties and the care provider; successful completion of a responsible living skills program; or independent living, if appropriate and if the child is age sixteen or older. The department or supervising agency shall not discharge a child to an independent living situation before the child is eighteen years of age unless the child becomes emancipated pursuant to chapter 13.64 RCW;

(b) Unless the court has ordered, pursuant to RCW 13.34.130(~~(6)~~) (8), that a termination petition be filed, a specific plan as to where the child will be placed, what steps will be taken to return the child home, what steps the supervising agency or the department will take to promote existing appropriate sibling relationships and/or facilitate placement together or contact in accordance with the best interests of each child, and what actions the department or supervising agency will take to maintain parent-child ties. All aspects of the plan shall include the goal of achieving permanence for the child.

(i) The department's or supervising agency's plan shall specify what services the parents will be offered to enable them to resume custody, what requirements the parents must meet to resume custody, and a time limit for each service plan and parental requirement.

(ii) Visitation is the right of the family, including the child and the parent, in cases in which visitation is in the best interest of the child. Early, consistent, and frequent visitation is crucial for maintaining parent-child relationships and making it possible for parents and children to safely reunify. The supervising agency or department shall encourage the maximum parent and child (~~and sibling~~) contact possible, when it is in the best interest of the child, including regular visitation and participation by the parents in the care of the child while the child is in placement. Visitation shall not be limited as a sanction for a parent's failure to comply with court orders or services where the health, safety, or welfare of the child is not at risk as a result of the visitation. Visitation may be limited or denied only if the court determines that such limitation or denial is necessary to protect the child's health, safety, or welfare. The court and the department or supervising agency should rely upon community resources, relatives, foster parents, and other appropriate persons to provide transportation and supervision for visitation to the extent that such resources are available, and appropriate, and the child's safety would not be compromised.

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(iii)(A) The department, court, or caregiver in the out-of-home placement may not limit visitation or contact between a child and sibling as a sanction for a child's behavior or as an incentive to the child to change his or her behavior.

(B) Any exceptions, limitation, or denial of contacts or visitation must be approved by the supervisor of the department caseworker and documented. The child, parent, department, guardian ad litem, or court-appointed special advocate may challenge the denial of visits in court.

(iv) A child shall be placed as close to the child's home as possible, preferably in the child's own neighborhood, unless the court finds that placement at a greater distance is necessary to promote the child's or parents' well-being.

~~((iv))~~ (v) The plan shall state whether both in-state and, where appropriate, out-of-state placement options have been considered by the department or supervising agency.

~~((v))~~ (vi) Unless it is not in the best interests of the child, whenever practical, the plan should ensure the child remains enrolled in the school the child was attending at the time the child entered foster care.

~~((vi))~~ (vii) The supervising agency or department shall provide all reasonable services that are available within the department or supervising agency, or within the community, or those services which the department has existing contracts to purchase. It shall report to the court if it is unable to provide such services; and

(c) If the court has ordered, pursuant to RCW 13.34.130(~~((6))~~) (8), that a termination petition be filed, a specific plan as to where the child will be placed, what steps will be taken to achieve permanency for the child, services to be offered or provided to the child, and, if visitation would be in the best interests of the child, a recommendation to the court regarding visitation between parent and child pending a fact-finding hearing on the termination petition. The department or supervising agency shall not be required to develop a plan of services for the parents or provide services to the parents if the court orders a termination petition be filed. However, reasonable efforts to ensure visitation and contact between siblings shall be made unless there is reasonable cause to believe the best interests of the child or siblings would be jeopardized.

(3) Permanency planning goals should be achieved at the earliest possible date. If the child has been in out-of-home care for fifteen of the most recent twenty-two months, the court shall require the department or supervising agency to file a petition seeking termination of parental rights in accordance with RCW 13.34.145(3)(b)(vi). In cases where parental rights have been terminated, the child is legally free for adoption, and adoption has been identified as the primary permanency planning goal, it shall be a goal to complete the adoption within six months following entry of the termination order.

(4) If the court determines that the continuation of reasonable efforts to prevent or eliminate the need to remove the child from his or her home or to safely return the child home should not be part of the permanency plan of care for the child, reasonable efforts shall be made to place the child in a timely manner and to complete whatever steps are necessary to finalize the permanent placement of the child.

(5) The identified outcomes and goals of the permanency plan may change over time based upon the circumstances of the particular case.

(6) The court shall consider the child's relationships with the child's siblings in accordance with RCW 13.34.130(~~((4))~~) (6). Whenever the permanency plan for a child is adoption, the court shall encourage the prospective adoptive parents, birth parents, foster parents, kinship caregivers, and the department or other supervising agency to seriously consider the long-term benefits to the child adoptee and his or her siblings of providing for and facilitating continuing postadoption contact between the siblings.

To the extent that it is feasible, and when it is in the best interests of the child adoptee and his or her siblings, contact between the siblings should be frequent and of a similar nature as that which existed prior to the adoption. If the child adoptee or his or her siblings are represented by an attorney or guardian ad litem in a proceeding under this chapter or in any other child custody proceeding, the court shall inquire of each attorney and guardian ad litem regarding the potential benefits of continuing contact between the siblings and the potential detriments of severing contact. This section does not require the department of social and health services or other supervising agency to agree to any specific provisions in an open adoption agreement and does not create a new obligation for the department to provide supervision or transportation for visits between siblings separated by adoption from foster care.

(7) For purposes related to permanency planning:

(a) "Guardianship" means a dependency guardianship or a legal guardianship pursuant to chapter 11.88 RCW or equivalent laws of another state or a federally recognized Indian tribe.

(b) "Permanent custody order" means a custody order entered pursuant to chapter 26.10 RCW.

(c) "Permanent legal custody" means legal custody pursuant to chapter 26.10 RCW or equivalent laws of another state or a federally recognized Indian tribe."

Senators Billig and Carrell spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the striking amendment by Senators Billig and Carrell to Second Substitute Senate Bill No. 5389.

The motion by Senator Billig carried and the striking amendment was adopted by voice vote.

MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 2 of the title, after "care;" strike the remainder of the title and insert "amending RCW 13.34.136; and creating a new section."

MOTION

On motion of Senator Billig, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5389 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Billig and Shin spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5389.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5389 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5389, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5541, by Senators Hobbs, Fain, Hatfield and Harper

Concerning the redemption of real property.

The measure was read the second time.

#### MOTION

On motion of Senator Hobbs, the rules were suspended, Senate Bill No. 5541 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hobbs spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5541.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5541 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

Voting nay: Senators Frockt and Kohl-Welles

SENATE BILL NO. 5541, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5025, by Senators Roach, Conway and Shin

Providing that a proclamation of a state of emergency is effective upon the governor's signature.

The measure was read the second time.

#### MOTION

On motion of Senator Roach, the rules were suspended, Senate Bill No. 5025 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Roach spoke on passage of the bill.

Senator Hasegawa spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5025.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5025 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Rolfes, Schlicher, Schoesler, Sheldon, Shin and Tom

Voting nay: Senators Roach and Smith

SENATE BILL NO. 5025, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5106, by Senator Delvin

Concerning the operation of county budgets.

The measure was read the second time.

#### MOTION

On motion of Senator Roach, the rules were suspended, Senate Bill No. 5106 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Roach and Hasegawa spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5106.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5106 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

SENATE BILL NO. 5106, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5480, by Senators Keiser, Kohl-Welles, Darneille, Nelson, McAuliffe and Kline

Accelerating changes to mental health involuntary commitment laws.

#### MOTION

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On motion of Senator Keiser, Substitute Senate Bill No. 5480 was substituted for Senate Bill No. 5480 and the substitute bill was placed on the second reading and read the second time.

commitment laws; amending RCW 71.05.040; amending 2011 2nd sp.s. c 6 ss 1 and 3 (uncodified); adding new sections to chapter 71.05 RCW; creating a new section; providing an effective date; and providing an expiration date."

MOTION

MOTION

Senator Schlicher moved that the following amendment by Senator Schlicher and others be adopted:

On motion of Senator Keiser, the rules were suspended, Engrossed Substitute Senate Bill No. 5480 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

On page 2, after line 2, insert the following:

Senators Keiser and Carrell spoke in favor of passage of the bill.

"Sec. 4. RCW 71.05.040 and 2004 c 166 s 2 are each amended to read as follows:

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5480.

(1) Persons (~~who are developmentally disabled~~) with developmental disabilities, impaired by chronic alcoholism or drug abuse, or suffering from dementia shall not be detained for evaluation and treatment or judicially committed solely by reason of that condition unless such condition causes a person to be gravely disabled or as a result of a mental disorder such condition exists that constitutes a likelihood of serious harm: Provided however, That persons (~~who are developmentally disabled~~) with developmental disabilities, impaired by chronic alcoholism or drug abuse, or suffering from dementia and who otherwise meet the criteria for detention or judicial commitment are not ineligible for detention or commitment based on this condition alone.

ROLL CALL

(2) The fact that a mental disorder within the definition of RCW 71.05.020 is caused by an underlying medical condition does not provide a reason to withhold detention under this chapter. The fact that a person has been involuntarily detained does not give the right to provide medical treatment against the person's will, except as specified in RCW 71.05.217(7) and 71.05.360(10).

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5480 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Erickson, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

NEW SECTION. Sec. 5. A new section is added to chapter 71.05 RCW to read as follows:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5480, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

A designated mental health professional shall take serious consideration of observations and opinions by examining physicians in determining whether detention under this chapter is appropriate. An examining physician who disagrees with a determination not to initiate detention under RCW 71.05.150 or 71.05.153 may submit a declaration describing the reasons why, in the view of the physician, detention is appropriate and stating whether the physician is willing, if necessary, to testify to the physician's observations in court. A designated mental health professional who receives such a declaration and does not initiate detention must provide a written response stating with particularity the reason or reasons why the person has not been detained.

SECOND READING

SENATE BILL NO. 5605, by Senators Becker, Sheldon, Hatfield and Parlette

NEW SECTION. Sec. 6. A new section is added to chapter 71.05 RCW to read as follows:

Addressing health plans provided through associations or member-governed groups. Revised for 1st Substitute: Clarifying association health plans provisions.

A designated mental health professional who conducts an evaluation for imminent likelihood of serious harm or imminent danger because of being gravely disabled under RCW 71.05.153 must also evaluate the person under RCW 71.05.150 for likelihood of serious harm or grave disability that does not meet the imminent standard for emergency detention."

MOTIONS

Senators Schlicher and Carrell spoke in favor of adoption of the amendment.

On motion of Senator Becker, Substitute Senate Bill No. 5605 was substituted for Senate Bill No. 5605 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Becker, the rules were suspended, Substitute Senate Bill No. 5605 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Becker spoke in favor of passage of the bill.

Senator Keiser spoke against passage of the bill.

The President declared the question before the Senate to be the adoption of the amendment by Senator Schlicher and others on page 2, after line 2 to Substitute Senate Bill No. 5480.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5605.

The motion by Senator Schlicher carried and the amendment was adopted by voice vote.

ROLL CALL

MOTION

There being no objection, the following title amendment was adopted:

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5605 and the bill passed the Senate by the following vote: Yeas, 38; Nays, 11; Absent, 0; Excused, 0.

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "mental health involuntary

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Conway, Dammeier, Ericksen, Fain, Frockt, Hargrove, Harper, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, King, Litzow, McAuliffe, Mullet, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

Voting nay: Senators Chase, Cleveland, Darneille, Eide, Fraser, Hasegawa, Keiser, Kline, Kohl-Welles, Murray and Nelson

SUBSTITUTE SENATE BILL NO. 5605, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5494, by Senators Hobbs, Fain, Holmquist Newbry, Mullet, Dammeier and McAuliffe

Concerning carbon monoxide alarms.

#### MOTIONS

On motion of Senator Hobbs, Substitute Senate Bill No. 5494 was substituted for Senate Bill No. 5494 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hobbs, the rules were suspended, Substitute Senate Bill No. 5494 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hobbs, Benton, Hatfield and Tom spoke in favor of passage of the bill.

Senators Kline, Rolfes, Kohl-Welles and Frockt spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5494.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5494 and the bill passed the Senate by the following vote: Yeas, 31; Nays, 18; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Braun, Brown, Carrell, Dammeier, Eide, Ericksen, Fain, Hargrove, Harper, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, King, Litzow, McAuliffe, Mullet, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon, Smith and Tom

Voting nay: Senators Billig, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Hasegawa, Keiser, Kline, Kohl-Welles, Murray, Nelson, Padden, Ranker, Rolfes, Schlicher and Shin

SUBSTITUTE SENATE BILL NO. 5494, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5030, by Senators Roach and Shin

Extending the Chinook scenic byway.

The measure was read the second time.

#### MOTION

On motion of Senator Roach, the rules were suspended, Senate Bill No. 5030 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Roach and Becker spoke in favor of passage of the bill.

#### MOTION

On motion of Senator Billig, Senators Kline and Murray were excused.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5030.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5030 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

Voting nay: Senator Rolfes

Excused: Senator Kline

SENATE BILL NO. 5030, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5318, by Senators Bailey, Becker, Roach, Hobbs, Holmquist Newbry, Honeyford, Hill, Chase, Billig, Kline, Cleveland, Carrell and Shin

Removing the one-year waiting period for veterans or active members of the military for purposes of eligibility for resident tuition.

The measure was read the second time.

#### MOTION

On motion of Senator Bailey, the rules were suspended, Senate Bill No. 5318 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Bailey, Shin, Kohl-Welles and Hasegawa spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5318.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5318 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt,

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Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

Excused: Senator Kline

SENATE BILL NO. 5318, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5616, by Senators Sheldon, Smith, Schoesler, Hargrove, Hatfield, Hewitt and Shin

Concerning the use of farm vehicles on public highways.

The measure was read the second time.

#### MOTION

Senator Sheldon moved that the following amendment by Senator Sheldon and others be adopted:

On page 2, line 31, after "operated" strike all material through "vicinity" on line 32 and insert "within a radius of ((fifteen)) twenty-five miles"

Senators Sheldon and Hasegawa spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Sheldon and others on page 2, line 31 to Senate Bill No. 5616.

The motion by Senator Sheldon carried and the amendment was adopted by voice vote.

#### MOTION

On motion of Senator Sheldon, the rules were suspended, Engrossed Senate Bill No. 5616 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Sheldon and Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5616.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5616 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

ENGROSSED SENATE BILL NO. 5616, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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SECOND READING

SENATE BILL NO. 5010, by Senators Padden, Sheldon and Carrell

Establishing that courts may order an offender to refrain from the consumption of marijuana as a part of community custody conditions.

#### MOTIONS

On motion of Senator Padden, Substitute Senate Bill No. 5010 was substituted for Senate Bill No. 5010 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Padden, the rules were suspended, Substitute Senate Bill No. 5010 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden, Kline and Kohl-Welles spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5010.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5010 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

SUBSTITUTE SENATE BILL NO. 5010, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5744, by Senators Hargrove, Hatfield and Conway

Creating an industrial insurance high risk premium subsidy program. Revised for 1st Substitute: Monitoring the progress of the logger safety initiative.

#### MOTION

On motion of Senator Hargrove, Substitute Senate Bill No. 5744 was substituted for Senate Bill No. 5744 and the substitute bill was placed on the second reading and read the second time.

#### MOTION

Senator Becker moved that the following amendment by Senator Becker and others be adopted:

On page 2, beginning at line 17, insert "The Department of Labor and Industries shall reach out to employers in the logging industry having one or more on the job fatalities in the last five years and invite them to participate in the logger safety initiative."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Senators Becker and Hargrove spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Becker and others on page 2, line 17 to Substitute Senate Bill No. 5744.

The motion by Senator Becker carried and the amendment was adopted by voice vote.

#### MOTION

On motion of Senator Hargrove, the rules were suspended, Engrossed Substitute Senate Bill No. 5744 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hargrove spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5744.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5744 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Erickson, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

ENGROSSED SUBSTITUTE SENATE BILL NO. 5744, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE JOINT MEMORIAL NO. 8007, by Senators Shin, Conway, Harper, Nelson, Kline, Becker, Hobbs, King, Eide, McAuliffe, Bailey, Hasegawa, Honeyford, Chase and Kohl-Welles

Requesting Congress pass legislation imposing a fee on United States bound cargo when it crosses the Canadian border. Revised for 1st Substitute: Requesting that congress pass legislation reforming the harbor maintenance tax.

#### MOTIONS

On motion of Senator Shin, Substitute Senate Joint Memorial No. 8007 was substituted for Senate Joint Memorial No. 8007 and the substitute memorial was placed on the second reading and read the second time.

On motion of Senator Shin, the rules were suspended, Substitute Senate Joint Memorial No. 8007 was advanced to third reading, the second reading considered the third and the memorial was placed on final passage.

Senators Shin and Braun spoke in favor of passage of the memorial.

The President declared the question before the Senate to be the final passage of Substitute Senate Joint Memorial No. 8007.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Joint Memorial No. 8007 and the memorial passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Erickson, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

SUBSTITUTE SENATE JOINT MEMORIAL NO. 8007, having received the constitutional majority, was declared passed.

The Senate resumed consideration of Substitute Senate Bill No. 5195 which had been deferred earlier in the day.

#### MOTION

Senator Murray moved that the following striking amendment by Senator Murray be adopted:

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature finds that Western Governors University-Washington, recognized by the state of Washington under RCW 28B.77.240, serves a student population that is nontraditional and geographically diverse. Enrollment in Western Governors University-Washington has grown steadily since 2011 reaching over four thousand three hundred students. These students represent an average age of thirty-seven, sixty-nine percent of whom are classified as underserved, including low-income, ethnic minority, rural, and first-generation students.

The legislature also finds that tuition at Western Governors University-Washington has remained static since 2008 at five thousand seven hundred eighty dollars per year.

Further, the legislature finds that the population served by Western Governors University-Washington deserves to have access to affordable postsecondary education, including baccalaureate degree-granting institutions. Therefore, the legislature intends to provide access to the state need grant program for eligible students attending Western Governors University-Washington.

The legislature also intends that Western Governors University-Washington comply with all reporting requirements established by the student achievement council for state need grant participation, including financial information about students, enrollment, graduation and placement rates, and the institution's standing with its accrediting agency, the Northwest Commission on Colleges and Universities, and the United States department of education.

**Sec. 2.** RCW 28B.92.030 and 2012 c 229 s 557 are each amended to read as follows:

As used in this chapter:

(1) "Council" means the student achievement council.

(2) "Disadvantaged student" means a posthigh school student who by reason of adverse cultural, educational, environmental, experiential, familial or other circumstances is unable to qualify for enrollment as a full-time student in an institution of higher education, who would otherwise qualify as a needy student, and who is attending an institution of higher education under an

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established program designed to qualify the student for enrollment as a full-time student.

(3) "Financial aid" means loans and/or grants to needy students enrolled or accepted for enrollment as a student at institutions of higher education.

(4) "Institution" or "institutions of higher education" means:

(a) Any public university, college, community college, or technical college operated by the state of Washington or any political subdivision thereof; or

(b) Any other university, college, school, or institute in the state of Washington offering instruction beyond the high school level (~~(which)~~) that is a member institution of an accrediting association recognized by rule of the council for the purposes of this section (~~(= PROVIDED, That)) and that agrees to and complies with program rules adopted pursuant to RCW 28B.92.150. However, any institution, branch, extension or facility operating within the state of Washington~~ (~~(which)~~) that is affiliated with an institution operating in another state must be:

(i) A separately accredited member institution of any such accrediting association (~~(=or)~~);

(ii) A branch of a member institution of an accrediting association recognized by rule of the council for purposes of this section, that is eligible for federal student financial aid assistance and has operated as a nonprofit college or university delivering on-site classroom instruction for a minimum of twenty consecutive years within the state of Washington, and has an annual enrollment of at least seven hundred full-time equivalent students (~~(= PROVIDED FURTHER, That no institution of higher education shall be eligible to participate in a student financial aid program unless it agrees to and complies with program rules and regulations adopted pursuant to RCW 28B.92.150))~~; or

(iii) A nonprofit institution recognized by the state of Washington as provided in RCW 28B.77.240.

(5) "Needy student" means a posthigh school student of an institution of higher education who demonstrates to the office the financial inability, either through the student's parents, family and/or personally, to meet the total cost of board, room, books, and tuition and incidental fees for any semester or quarter. "Needy student" also means an opportunity internship graduate as defined by RCW 28C.18.162 who enrolls in a postsecondary program of study as defined in RCW 28C.18.162 within one year of high school graduation.

(6) "Office" means the office of student financial assistance.

(7) "Placebound student" means a student who (a) is unable to complete a college program because of family or employment commitments, health concerns, monetary inability, or other similar factors; and (b) may be influenced by the receipt of an enhanced student financial aid award to complete a baccalaureate degree at an eligible institution.

**Sec. 3.** RCW 28B.105.020 and 2011 1st sp.s. c 11 s 183 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "GET units" means tuition units under the advanced college tuition payment program in chapter 28B.95 RCW.

(2) "Institution of higher education" has the same meaning as in RCW 28B.92.030(4) (a) and (b) (i) and (ii).

(3) "Office" means the office of student financial assistance.

(4) "Program administrator" means the private nonprofit corporation that is registered under Title 24 RCW and qualified as a tax-exempt entity under section 501(c)(3) of the federal internal revenue code, that will serve as the private partner in the public-private partnership under this chapter.

(5) "Qualified program" or "qualified major" means a mathematics, science, or related degree program or major line of

study offered by an institution of higher education that is included on the list of programs or majors selected by the (~~board~~) office and the program administrator under RCW 28B.105.100.

**Sec. 4.** RCW 28B.133.010 and 2004 c 275 s 72 are each amended to read as follows:

The educational assistance grant program for students with dependents is hereby created, subject to the availability of receipts of gifts, grants, or endowments from private sources. The program is created to serve financially needy students with dependents eighteen years of age or younger, by assisting them directly through a grant program to pursue a degree or certificate at public or private institutions of higher education, as defined in RCW 28B.92.030(4) (a) and (b) (i) and (ii), that participate in the state need grant program.

**Sec. 5.** RCW 28B.133.050 and 2011 1st sp.s. c 11 s 238 are each amended to read as follows:

The educational assistance grant program for students with dependents grants may be used by eligible participants to attend any public or private college or university in the state of Washington as defined in RCW 28B.92.030(4) (a) and (b) (i) and (ii). Each participating student may receive an amount to be determined by the office of student financial assistance, with a minimum amount of one thousand dollars per academic year, not to exceed the student's documented financial need for the course of study as determined by the institution.

Educational assistance grants for students with dependents are not intended to supplant any grant scholarship or tax program related to postsecondary education. If the office of student financial assistance finds that the educational assistance grants for students with dependents supplant or reduce any grant, scholarship, or tax program for categories of students, then the office shall adjust the financial eligibility criteria or the amount of the grant to the level necessary to avoid supplanting.

**NEW SECTION. Sec. 6.** The legislature finds that many American youth arrive in this country and this state through the decision of their parents to relocate in search of opportunities to improve their lives and futures.

On June 15, 2012, President Obama introduced the deferred action for childhood arrivals process. Building on this directive, this section and section 7 of this act are intended to provide a more affordable and attainable route to college for children granted deferred action for childhood arrival status who reside in Washington state. While extending in-state tuition to these youth has helped them better afford higher education in this state, financial aid is necessary to extend to them the full American dream. The extension of financial aid to these aspiring young Americans is also necessary to position everyone for economic success and strengthen Washington state's competitive edge in the world economy.

**Sec. 7.** RCW 28B.92.010 and 2004 c 275 s 34 are each amended to read as follows:

The purposes of this chapter are to establish the principles upon which the state financial aid programs will be based and to establish the state of Washington state need grant program, thus assisting financially needy or disadvantaged students domiciled in Washington to obtain the opportunity of attending an accredited institution of higher education. State need grants under this chapter are available only to students who are resident students as defined in RCW 28B.15.012(2) (a) through (d) or any person who has completed the full senior year of high school and obtained a high school diploma, either at a Washington public high school or private high school approved under chapter 28A.195 RCW, or a person who has received the equivalent of a diploma; who has lived in Washington state for at least three years immediately before receiving the diploma or its equivalent; who has continuously lived in the state of Washington after receiving the diploma or its

equivalent and until such time as the individual is admitted to an eligible institution of higher education and has been granted deferred action for childhood arrival status pursuant to the rules and regulations adopted by the United States citizenship and immigration services.

**NEW SECTION. Sec. 8.** Sections 1 through 5 of this act take effect August 1, 2013."

On page 1, line 1 of the title, after "to" strike the remainder of the title and insert "expanding access to the state need grant; amending RCW 28B.92.030, 28B.105.020, 28B.133.010, 28B.133.050, and 28B.92.010; creating new sections; and providing an effective date."

#### POINT OF ORDER

Senator Bailey: "That the striking amendment 189 to Substitute Senate Bill No. 5195 is beyond the scope and object of the bill. The bill was introduced into the Senate, allows one non-profit institution recognized by Washington State under current law to be eligible to participate in the state need grant program, Western Washington Governor's University. Thus, the same student receiving a state need grant award while attending a Washington Community College would also be eligible to receive a state need grant award if he or she is attending WGU-Washington. By contrast, the striking amendment does not address the type of higher education institution that is eligible to participate in the state need grant program but rather it expands the class of eligible students by attempting to hang, verbatim, a bill that was introduced in the House, Substitute House Bill No.

1817. Specifically the striking amendment expands the class by allowing undocumented immigrants to be eligible for the state need grant award. Because the striking amendment exceeds the scope and object of the underlying bill I respectfully request a ruling accordingly."

Senator Frockt spoke against the point of order.

#### MOTION

On motion of Senator Fain, further consideration of Substitute Senate Bill No. 5195 was deferred and the bill held its place on the second reading calendar.

#### MOTION

At 9:07 p.m., on motion of Senator Fain, the Senate adjourned until 9:00 a.m. Tuesday, March 12, 2013.

BRAD OWEN, President of the Senate

HUNTER GOODMAN, Secretary of the Senate



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